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LUDLOW
NOT TO BE
REPRODUCED

COPIES
OF THE
Charters and Grants
TO THE
TOWN OF LUDLOW:
WITH
A MIRROR
FOR
THE MEN OF LUDLOW,
Illustrating their Corporate Rights:
AN ACCOUNT OF
CHARITABLE FOUNDATIONS,
THREE ANCIENT DESCRIPTIONS OF LUDLOW,
Copies of Magna Charta,
BILL OF RIGHTS,
Habeas Corpus, and the Act of Settlement;
AND
EXTRACTS FROM
GRANVILLE SHARP'S ESSAY
ON THE
ANCIENT RIGHT OF ELECTION.

"Ye shall know the Truth, and the Truth shall make you free."

*"Jove fix'd it certain, that whatever day
Made MAN a SLAVE, took half his worth away."*

LUDLOW:

PRINTED AND SOLD BY W. FELTON.

ALSO SOLD BY S. PASSEY, NEWINGTON BUTTS, LONDON.

COPIES

OF THE



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1821

ANCIENT RIGHT OF ELECTION.

ON THE

GRANVILLE SHARP'S ESSAY

EXTRACTS FROM

AND

SHARP'S ESSAY, AND THE ACT OF PARLIAMENT;

BILL OF RIGHTS

Copies of Magna Carta

THREE ANCIENT DESCRIPTIONS OF EUDLOW

CHARITABLE FOUNDATIONS

AN ACCOUNT OF

Illustrating their Corporate Rights

ANCIENT RIGHT OF ELECTION.

"Ye shall know the Truth, and the Truth shall make you free."

"Love thy neighbor as thyself: that is the first and greatest commandment."
"Love thyself as thy neighbor: that is the second and greatest commandment."

ENDNOTES

PRINTED AND SOLD BY W. FELTON.

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DEDICATION

TO THE

SUBSCRIBERS.

I dedicate to you this Book, considering that, under your auspice, I am enabled to give it publicity.

I presume, your object in encouraging my undertaking, is in unison with the motive that induced me to pursue it; that is, a desire to obtain information respecting the chartered privileges granted to the Town of LUDLOW.

It is, perhaps, not unworthy of remark, that hitherto the provisions of the charters of this town have been unknown to the inhabitants; and also, for at least a century past, to almost the whole of the members of the common council of the town!

A disposition to expose innovations, and remove ambiguities connected with the rights and privileges of the Men of Ludlow, has been the primary stimulus to my exertion; and, should this offspring

of my humble labours become instrumental in effecting a restoration of any right or immunity to my fellow townsmen, or their posterity, then, the only gratification I have in view, will be accomplished.

Therefore, to you and your descendants, I submit the contents of this book; trusting you will, after mature deliberation thereon, decide, that to HAVE RIGHTS AND PRIVILEGES, AND NOT TO PROTECT AND DEFEND THEM, is the same as to have none at all, and so be governed by mere will and pleasure.

I solicit your pardon for the errors and imperfections that will be found herein; and hope you will kindly excuse the inexperience of,

Gentlemen,

Your very obedient

humble Servant,

The EDITOR.

CHARTER,

28th HENRY VI.—1450.

A Copy of a Letter of RICHARD DUKE of YORK, Father of KING EDWARD the Fourth, about the Government of Ludlow.

RICHARD Duke of York, Earl of March and of Ulster, Lord of Clare, of Wigmore, and of Ludlow: To all those that these our letters shall see or hear greeting in our lord. Whereas John Parys, Thomas Whitegreene, John Griffithe, John Colewalle, John Hosyer, John Bowdler, Matthew Greene, Thomas Downton, John Sherman, Mercer, Richard Dillow, Thomas Hooke, and John Stanbourne the twelve and the twenty-five with them Burgesses chosen for the good rule, councell and governance of our said town, surely to be kept, of the which twelve and twenty-five and their predecessors, as we have well conceaved and understand, sythe the time that no mind, is by the license and

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grant of our noble progenitors, have used, ruled, and governed all manner of matters belonging to our said town, except the correction and governance that longeth and concerneth to our stuard there, in the holding of our courts. And except also that that appertaineth to the constables for the King our Sovereign Lord. The which rule and governance, we, in as much as in us is, hooly ratify and confirm to our said burgesses the twelve and twenty-five, and to their successors, charging moreover and commanding all other burgesses, denysens, tenants, and resyants of our said town of Ludlow to obey the good rule, councell, and governance, of the said twelve and twenty-five and their successors, upon pain of forfeiting their freedom who so offendeth and doth the contrary. In witness whereof we have set our seal to these our letters. Given in the Castle of Ludlow, the first day of April, in the twenty-eighth year of the reign of our Sovereign Lord the King HENRY the sixth.

R. YORK, L.P.

**THE
ARMS AND COMMON SEAL
OF LUDLOW.**

A WHITE LION COUCHANT IN THE CENTRE
WITH TWO WHITE ROSES OVER HIM, AND
ONE WHITE ROSE UNDER ON A BLUE
FIELD, AS DRAWN AT TOP OF CHARTER.

The Charter of Edward the fourth is ornamented with a drawing of the Earl of Marche's Arms, quartered with a red St. George's cross, in a golden field with a lion and a leopard for supporters, or two lions, (vide Cowell's Law Dictionary, or Blunt's ditto, Manumission.) *Orlton.*

And on the left side a shield with a coat of arms, an upright leg, thigh, and foot, and a spatterdash, golden shoe, and knee pan, and a golden line down the shin; and

a badger or beaver with a blue tail for the crest, which, I think, were the arms of Beaufire, cofferer to Edward the fourth, who is said, in Hearne's Leland, 2 edit. 4 vol. page 92, to have a grave in Ludlow church, and to give a leg in his arms. And in a feoffment for settling the charity of John Hosier, Merchant, 1486, it appears there was then a tomb of Piers Beaufire in Ludlow church, and at top the arms of Ludlow.

CHARTER

OF

KING EDWARD IV.

FOR THE

Men and Burgesses of the Town of Ludlow.

Dated 7th Dec. 1461.

(TRANSLATION.)

Consideration.—A Free Borough incorporated by Name of Bailiffs, Burgesses, and Commonalty.—Bailiffs to be chose yearly on Simon and Jude (28th October) and to be sworn for one Year.

I. THE KING to the archbishop, &c. greeting. Know ye, that we considering the laudable and gratuitous services which our beloved and faithful subjects the burgesses of the town of Ludlow, have rendered unto us in the obtaining of our right to the crown of England for a long time past withheld from us and our ancestors, in great peril of their lives: And also the rapines,

depredations, oppressions, losses of goods, and other grievances for us and our sake in divers ways brought upon them by certain of our competitors; being therefore desirous for the amelioration and relief of our town aforesaid and of the burgesses and inhabitants in the same, to bestow our grace and favour on the same burgesses, of our especial grace and by our royal munificence we have granted and by these presents do grant to our burgesses of our town aforesaid, that the same town shall be a free borough for ever, incorporated in deed and in name of Bailiffs, Burgesses, and Commonalty, and that the burgesses of our town aforesaid on the feast of the circumcision of our Lord next coming, for the good order and government of the same town, may elect from among themselves two bailiffs to the offices of bailiffs of the town aforesaid, who having taken an oath before them well and faithfully to exercise and fulfil the offices of bailiffs there, shall have, perform, exercise, and execute these offices until the feast of the apostles Simon and Jude then next follow-

ing:—And that the same burgesses, their heirs and successors from henceforth for ever every year, on the feast of the apostles Simon and Jude, may and shall elect from among themselves two of the more discreet and more worthy persons to be bailiffs of the town aforesaid, who having taken before them the oath as is aforesaid, shall perform, exercise, and execute the offices of bailiffs there for one year then next following.

Bailiffs, Burgesses, and Commonalty to be a Body Corporate.—To have perpetual Succession and a Common Seal.

II. Also we have granted to the said burgesses, their heirs and successors, that the bailiffs, burgesses, and commonalty of the town aforesaid, shall be one body corporate and persons able and capable to purchase to them and their successors in fee and perpetuity lands, tenements, rents, services and other possessions whatsoever, and shall have perpetual succession and a common seal to be used for the offices of the said town.

The Town &c. granted, (except Site of the Castle,) and all Lands &c. in Stanton-Lacy which Bailiffs used to answer for.—Yearly Rent to the Crown L. 24 3s. 4d.—Allowance for the Lives of Jukes and Porter.

III. AND further we have granted to the same burgesses of our town or borough aforesaid, all our lands, tenements, rents, reversions, and services in Ludlow aforesaid, except the site of our castle there and a certain meadow called Castle Mede:—And also our lands, tenements, services, and rents, in Stanton-Lacy which where accustomed to be in the charge of the bailiffs of Ludlow aforesaid in times past, and of the issues whereof the bailiffs of Ludlow aforesaid for the time being used to answer to our ancestors lords of the town of Ludlow aforesaid, TO HAVE and TO HOLD the town, lands, tenements, rents, services, and possessions aforesaid, (except as before excepted) to the aforesaid burgesses, their heirs and successors from the feast of St. Michael the Archangel last past, of us and our heirs at fee farm for ever; rendering therefore to us and our heirs annually twenty and four pounds

thirteen shillings and fourpence, at the feast of the Annunciation of the Blessed Virgin Mary and of the Holy Apostles, Simon and Jude, by equal portions by the hands of the bailiffs of the town or borough aforesaid for the time being. Nevertheless we will and grant that the same burgesses, their heirs and successors in rendering their account for the fee farm aforesaid, shall have annually, during the life of one master Jukes, an allowance and complete discharge of thirty-three shillings and fourpence of the farm aforesaid for a certain tenement which the aforesaid master Jukes now holds in Ludlow aforesaid, for the term of his life, by the grant of the lord Richard late Duke of York, our most dear father of famous memory:—and that they shall likewise have an allowance and discharge in their account aforesaid, every year during the life of Maurice Porter, of sixteen shillings for a certain tenement which the same Maurice holds in the same town for the term of his life by grant of our aforesaid father.

Liberties to extend to the Rock, Further Halton, Overton and Stanton-Lacy.

IV. ALSO we will and grant for us and our heirs as much as in us lies to the aforesaid burgesses and their successors, that the liberties of the town or borough aforesaid shall extend themselves without the same town or borough by the limits, metes, and bounds under written, (that is to say) from the east part of the town or borough aforesaid as far as the township of Rock, and from thence as far as the township of Further Halton on the west part of the same town or borough, and from the same township of Further Halton as far as the township of Overton, on the south part of the aforesaid town or borough of Ludlow; and from the same township of Overton as far as the township of Stanton-Lacy on the north part of the same town or borough; and from thence as far as the aforesaid township of Rock.

A Market weekly on Thursday, and a Fair annually.

V. ALSO we have granted to our same burgesses, that they, their heirs and successors for ever, shall have one market in

the town or borough aforesaid to be holden on Thursday in every week; and one fair every year there to be holden to continue for three days, (that is to say) on the eve and on the day and on the morrow of the Apostles Philip and James: so nevertheless that such market and fair be not to the detriment of the neighbouring markets and fairs:—Wherefore we will and firmly command for us and our heirs that our aforesaid burgesses, their heirs and successors for ever shall have one market every week on Thursday, and one fair every year for three days, (that is to say) on the eve and on the day and on the morrow of the Apostles Philip and James at Ludlow aforesaid to be holden; so that such market and fair be not to the detriment of the neighbouring markets and fairs as is aforesaid.

Merchants' Guild.

VI. ALSO we have granted to the same burgesses their heirs and successors for ever, that they shall have in the town or borough aforesaid a *Guild Mercatoriam*, with a company of merchants and other customs

and liberties to the guild aforesaid appertaining, that no person who shall not be of that guild shall transact any merchandize in the town aforesaid or the suburbs of the the same, except by the license of and consent of the same burgesses, their heirs and successors.

Bondmen residing a Year and a Day not to be taken away—Burgesses not to serve on Foreign Juries.—Foreigners not to serve on Juries in Ludlow.—Actions arising in Ludlow to be tried there only.

VII. ALSO, we have granted to the same burgesses, their heirs, and successors for ever, that if any native or bondman of any person shall have dwelt in the aforesaid town and shall have held lands in the same and shall have been in the aforesaid guild and company of merchants, and shall have paid or borne lot and scot with our same burgesses during one year and a day without claims of his lord, he shall not henceforth be redemanded nor taken out of the town aforesaid, but shall there remain free.—And that the same burgesses shall not be put with foreign men on assizes, juries, attaints, or any

inquisition which by reason of lands, tenements, trespasses, or other foreign matters or contracts whatsoever, before the justices or other ministers of us or our heirs shall or may cause to be performed;—nor that foreign men be put with the same burgesses on assizes, juries, attainments, or any inquisitions which by reason of lands or tenements being in the same town or precinct thereof, or of any trespasses, contracts, or other matters which within the same town or in the precincts thereof have arisen, to be taken; but that those assizes, juries and inquisitions of those things which in the said town and in the precincts thereof shall have arisen shall alone be performed by the burgesses of the same town, unless the matter concerns us or our heirs or the commons of our realm.

Burgesses to be Toll-free.—To have usual Liberties and Customs.

VIII. ALSO, we have granted our same burgesses and their heirs and successors, that they, their heirs and successors for ever, shall be free and quit through all our land and dominion from all tolls, customs,

passage, murage, tonage, pavage, lastage, pontage, stallage, picage, pegage, payage, carriage, landage, strikage, pesage, scutage, hidage, and navidge of and for all their merchandize whatsoever, they shall come through all our land and dominion.—And that through all our land and dominion they shall have and hold all their liberties and customs hitherto used and approved as they have used them in times of our predecessors.

Grant of all Fines, Issues, &c.

IX. ALSO we have granted to the aforesaid burgesses and their heirs and successors, that they shall have the fines for trespasses and other offences whatsoever; and also the fines for license to agree: And also all manner of fines, issues, redemptions and amerciaments, penalties, forfeited and forfeitures whatsoever, of all the burgesses of the town aforesaid therein resident, and who from henceforth shall happen to reside, their heirs and successors: and also of all other residents in the town aforesaid, and the suburbs and precincts thereof, and of their heirs and successors, although the

same burgesses and residents their heirs and successors or any of them, is or are the ministers or officers, minister or officer, of us or our heirs or successors (that is to say) as well before us and our heirs in the Chancery of us and our heirs the justices of us and our heirs assigned to hold pleas before us and our heirs the justices of the common bench of us and our heirs, the justices of us and our heirs assigned to take assizes, and to deliver the gaols, the keepers of our peace and justices of labourers and artificers of us and our heirs the treasurer and barons of the exchequer of us and our heirs, the clerk of the market of us and our heirs, the justices of us and our heirs of *oyer* and *terminer*, and others the justices and commissioners whomsoever of us and our heirs forfeited and to be forfeited, made and to be made from whatsoever cause and by whatsoever cause to be levied and taken, demanded and claimed by the bailiffs of the said town for the time being to the use of the said burgesses their heirs and successors without molestation, impediment, or claim of us, our heirs or successors, the chancellor,

treasurer, barons of the exchequer, justices, sheriffs, escheators, or other officers commissioned, and ministers of us our heirs or our successors whomsoever.

Lands, &c. of convicted Felons to go to Burgesses.

X. MOREOVER we have granted to the same burgesses, their heirs and successors, that if any of the burgesses of the town aforesaid, or of other persons there resident, shall be convicted for or of felony, or condemned or outlawed, the same burgesses, their heirs and successors shall have all the lands and tenements, of such convicted, condemned, or outlawed person being within the town or borough aforesaid, and the precincts thereof for one year and one day after such conviction, condemnation, and outlawry and waste and strip thereof and whatsoever to us or our heirs thereof appertaineth or can appertain as well in the presence of us and our heirs as in the absence of us and our heirs.

*Goods and Chattels of convicted Felons, &c. granted.—
Deodands.*

XI. ALSO, we have granted to the same burgesses and their heirs and successors,

for us and our heirs, that they, their heirs and successors for ever shall have all and all manner the goods and chattels of all felons and fugitives, outlaws, and waifs happening to be outlawed, and waived, condemned, and to be condemned, adjudged and to be adjudged, attainted and to be attainted, convicted and to be convicted, from whatsoever cause and by whatsoever cause before us and our heirs the keepers of our peace and justices assigned to hear and determine felonies, trespasses and other misdemeanours, or other justices, commissioners, or officers whomsoever, of us and our heirs forfeited and to be forfeited, and the goods and chattels of felons and fugitives and those put or to be put in exigent for felony, and felons of themselves, and deodands of all and singular the burgessess residents and non-residents within the town aforesaid and precincts thereof, and of all other whomsoever within the town or borough aforesaid, the suburbs and precincts thereof found, and from henceforth happening to be found;—so that if any person for his offence ought to lose his life or limb, or shall fly and refuse to

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stand judgment, or shall commit any other offence whatsoever for which he ought to lose his goods and chattels where-soever justice ought to be done on him whether it be in the court of us our heirs or successors or in any other court whatsoever, those goods and chattels within the town or borough aforesaid, the suburbs and precincts thereof, being, or from henceforth happening to be, shall belong to the aforesaid burgesses their and successors. And it shall be lawful for the same burgesses and their successors by the bailiffs of the said town for the time being, without impediment of us, our heirs and successors whomsoever, to put themselves in seisin of the goods and chattels aforesaid, and the same to receive and retain to the use and behoof of the same burgesses, their heirs and successors, although the same goods and chattels by us or our heirs, or the ministers of us our heirs and successors shall have been first seized.

Cognizance of all pleas granted.—By the 34 and 35 of Hen. VIII. Ca. 22. Fines levied by Wives in Corporated Towns good against them; Temple v. Relegworth.—No Action lies for levying a Plaint for a

Cause arising out of the Jurisdiction, but a prohibition, Carthew, 190.

XII. AND further, we have granted to the aforesaid burgesses, that they, their heirs and successors, shall have cognizance of all and all manner of pleas of lands and tenements being within the said town, suburbs and precincts thereof, as well as of assizes as of novel disseisin and *mort d'ancestor* bestification and attaints, as concerning offences, accounts, trespasses, covenants, deceits, and detentions, as well of chattels as of charters and of muniments and all other pleas, matters, causes, complaints, and demands and contracts whatsoever within the same town, precincts and suburbs thereof, happening or arising before the bailiffs of the town or borough aforesaid for the time being; to be holden as well in the presence of us, our heirs and successors, as in the absence of us our heirs and successors, with all manner of profits of such pleas in what manner soever arising without the hindrance of us, our heirs or successors, escheators, sheriffs, or other bailiffs or ministers of us our heirs and successors whomsoever.

A Court weekly on Tuesday before the Bailiffs for all Civil Causes.—Method of Proceeding in the Court.

XIII. ALSO we have granted to the same burgesses that they, their heirs and successors, shall have a certain Court in the town or borough aforesaid, to be holden on Tuesday in every week before the bailiffs of the same town or borough for the time being; and that in that court they may hold by plaints in the same court to be levied all manner of pleas of whatsoever trespasses, *vi et armis* or otherwise in contempt of us or of our heirs, or against the form of any statutes whatsoever other trespasses and offences within the town aforesaid, suburbs and precincts thereof done or perpetrated, and of debts, accounts, covenants, deceits, detentions of charters, writings and muniments and chattels, takings and detentions of beasts and cattle and other contracts whatsoever, from whatsoever cause or things arising within the town or borough aforesaid, the suburbs and precincts of the same, although the same trespasses, debts, accounts, covenants, deceits, detentions or other contracts do attain or exceed the sum of forty shillings ;

and all and singular the same before the bailiffs aforesaid there for the time being to hear and determine according to the law and custom of our kingdom of England, and the persons against whom such plaint in the court aforesaid shall happen to be moved or levied to compel to plead by summons, attachment, and distress, and if before the same bailiffs it shall be testified by their ministers that those persons have nothing within the liberty of the town aforesaid whereby or by which they can be summoned, attached, or distrained, by attachment of their bodies and all and singular the aforesaid pleas severally to hear, and by similar processes, considerations, judgments, and executions of judgments to bring and determine by which similar pleas in our court are brought and determined, and the executions of processes of the same pleas shall be done by the ministers of the aforesaid bailiffs for that purpose deputed or assigned.

Burgesses to have a Recorder who with the Bailiffs to be Justices.—No Justices for County of Salop to act for Ludlow.

XIV. MOREOVER we have also granted

for us and our heirs the aforesaid burgesses, their heirs and successors, that they the bailiffs of the same town or borough for the time being, and such able lawyer learned in the laws of the land, whom the burgesses aforesaid, their heirs and successors shall from time to time think fit to elect to be Recorder or Steward of the town aforesaid, whereupon and as soon as such bailiffs, and recorder or steward shall so have been elected, they shall be justices of us and of our heirs to procure and keep the peace, and also all the matters of artificers and labourers, weights and measures within the town or borough aforesaid, the suburbs and precincts thereof, and that they shall have full power and authority to inquire concerning whatsoever felonies, trespasses, misprisons, and other defaults and articles whatsoever within the town or borough aforesaid, the suburbs and precincts thereof done or perpetrated, which before such conservators of the peace and justices can or ought to be inquired in any county of the kingdom of England, and those felonies, trespasses, misprisons, defaults, and articles to hear and determine

as fully and entirely as any other justices of our peace in any county of our kingdom of England may or could inquire, hear, or determine;—so that the justices of the peace of labourers and artificers of us or of our heirs being in the county of Salop, or any one of them, shall not in no wise hereafter, intermeddle concerning any felonies, things, causes, matters, defaults, and other articles whatsoever, to the office of justice of the peace of labourers and artificers belonging or appertaining within the said town, suburbs and precincts thereof, from whatsoever cause arising or happening.

Grant of the Assizes of Victuals and power to punish Delinquents.

XV. MOREOVER we have granted for us and our heirs to the aforesaid burgesses and their successors for ever, that they shall have the assize and assay of bread, wine, and ale, and of other victuals in the said town, suburbs and precincts thereof, to amend such assize broken, and also the punishment and correction of delinquents in abuse of weights and measures, as well in the presence of us and our heirs

as in the absence of us and our heirs;—so that neither the steward and marshal nor clerk of the market of the household of us and our heirs or successors, or any one of them, by reason of such assize of bread, wine, and ale broken, or weights or measures in the said town, suburbs and precincts thereof, or for any trespasses or other defaults there committed without the virge or within the virge before or after the coming of the same steward and marshal or clerk of the market into those parts, shall in any manner intermeddle nor enter the said town or borough, suburbs or precincts thereof, to perform any thing which to their offices or to either of them shall appertain.

Burgesses to have Return of Writs, &c.—No Sheriff to enter Ludlow.—Burgesses to have the Manu Opera.

XVI. AND further we have granted to our aforesaid burgesses, that they, their heirs and successors from henceforth for ever shall have the return as well of assizes as of all and all manner of writs, precepts, bills, and warrants of us, our heirs and successors;—also summonses, estreats, and precepts of the exchequer of our heirs and

successors and estreats and precepts of our justices itinerant as well of pleas of the forest as of common pleas, or of other justices whomsoever, and also attachments as well of pleas of the crown as of other pleas in the said town, suburbs and precincts thereof, and executions of the same by the bailiffs of the town or borough aforesaid for the time being are to be made, so that no sheriff, bailiff, or other minister of us our heirs or successors shall enter the said town, suburbs, and precincts thereof for performing any part of their offices or any thing to their offices appertaining, unless in default of the same burgesses their heirs or successors, and their ministers; and that the same burgesses, their heirs and successors for ever shall have all goods and chattels whatsoever called the *manu opera* taken or to be taken with any person whomsoever being within the town, precincts and suburbs thereof, and by the same person before whatsoever judge he is convicted.

Power to take Recognizance of Statute Merchant, &c:

XVII. ALSO we have granted for us and our heirs to the aforesaid burgesses and

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their successors that the bailiffs of the said town for the time being shall have full power and authority in the same to receive recognizances whatsoever between merchant and merchant, and execution thereof to levy according to the form of the statute of merchants and of the statutes of Acton Burnell heretofore enacted.

Burgesses not compellable to go before Justices out of Town.—To choose a Coroner yearly.—No Coroner to enter Ludlow.

XVIII. AND further we have granted for us and our heirs to the aforesaid burgesses, their heirs and successors, that as concerning the coming or going before the justices of the peace of labourers and artificers, sheriffs, escheators, coroners, or before the steward and marshal of the household of us, our heirs and successors, the clerk of the market of the same household, justices of oyer and terminer, justices assigned or to be assigned to take assizes, and to deliver our gaol in the aforesaid county of Salop, or others the officers or ministers of us, our heirs or successors whomsoever, they shall not be obliged nor compelled in any manner to go out of the

said town.—And that the aforesaid burgesses, their heirs and successors for ever, shall and may elect and constitute every year on the aforesaid feast of the Apostles Simon and Jude, from among themselves a Coroner in the town aforesaid, and that the same coroner, so elected and constituted, shall have full power and authority to do and exercise in the same town, the suburbs and precincts thereof, all and every those things which to the office of any coroner of us our heirs and successors doth or ought to appertain to be performed and exercised; so that no other coroner of us our heirs or successors shall enter nor presume to enter into the aforesaid town, the suburbs and precincts thereof, to do any thing which to the office of such coroner appertains, nor shall in any wise intermeddle concerning any thing to the office of coroner appertaining arising within the said town, suburbs, and precincts thereof.

The Goods &c. of Burgesses not to be taken for the King.

XIX. AND further, we being anxious to give and bestow more abundant favour to the aforesaid burgesses, their heirs and

successors, have taken them and every of them and also their lands and tenements and possessions and goods and chattels wheresoever they are or shall be found, into the special protection of us, our heirs and successors; willing and granting that the corn and hay, horses, oxen, cows, carts, waggons, boats, carriages, sheep, pigs, lambs poultry or other provisions or goods, chattels, or things, of the same burgesses, their heirs and successors to the use of us, our heirs or successors, by the same purveyors, buyers or captors of provisions, or of other things for the household of us, our heirs or successors, or of other persons whomsoever, or by others the bailiffs or ministers of us, our heirs or successors whomsoever, or of other persons whomsoever shall on no account whatsoever be taken, driven, or in any wise car-reid away.

Burgesses not to be Collectors of Taxes out of Town,

XX. ALSO, we have granted to the aforesaid burgesses, that the said bailiffs, burgesses, and their successors for ever, shall not nor shall any one of them be made collector of tenths, fifteenths, subsi-

dies, tallages, contributions, or any scotages or taxes whatsoever, nor assessors or taxers of any of the same to us, our heirs or successors, by the commons of our kingdom of England aforesaid, as by the burgesses and citizens of cities and boroughs of the same kingdom hereafter to be granted, to be levied without the same town, suburbs and precincts thereof, nor shall they nor any one of them be made receiver of the monies or issues whatsoever of us our heirs or successors without the same town, suburbs and precincts thereof against their will so long as they shall dwell in the same town, the suburbs, and precincts of the same,

All the Inhabitants to pay Scot and Lot with the Burgesses.—To have a Prison.

XXI. ALSO we have granted to the same burgesses and their successors that all men dwelling within the town aforesaid, the suburbs and precincts thereof, shall have scot and lot with the same burgesses, and partake with them in all aids, tallages, and taxations whatsoever. And that the same burgesses and their successors shall have their own prison and the custody of

all prisoners attached and to be attached or adjudged and to be adjudged to prison in what manner soever within the liberty of the town aforesaid, as well at our suit as of others, until according to the law and custom of our kingdom of England they shall be there delivered.

Recital that no person was to be restrained but for his own Debt, yet in the Marches of Wales it is done. —A Power to arrest and distrain Persons of any Lordship for the Damage done the Burgesses by Arrest or Distress.—To take the usual Tolls of Welchmen.—The assizing of Victuals to be by Bailiffs and approved Men.

XXII. ALSO we have granted to the same burgesses and their successors that although it was heretofore enacted and ordained by our noble progenitors that no one be distrained for foreign debts, unless he be the debtor or pledge, nevertheless they have been divers times arrested and distrained in divers lordships of the marches of Wales for foreign debts whereof they are not the debtors or pledges, or any wise liable, and they by reason of the very many grievances and losses by which such arrests and distresses they have sus-

tained, refrain from going towards our lordships in the marches aforesaid; and also to other places for transacting their divers merchandizes, and for providing and seeking for fish or other provision for the sustentation of our faithful subjects of the town aforesaid in the county of Salop, and also the country adjacent, because of the trespasses in the lordships aforesaid, whereupon they have petitioned us for a remedy for them to be by us provided. We have granted for us and our heirs to the aforesaid burgesses of our town aforesaid for ever, that if it shall happen that any one of our subjects of the town aforesaid, or any parcel of their goods in any lordship within the marches of Wales be so arrested and distrained, and the lord of such lordship in which such arrest or distress shall be made, or his officers there, at the request of the bailiffs of the town aforesaid for the time being, by their letters under their seals to the same lords or their officers directed, shall refuse to deliver the bodies or goods of such person so arrested or distrained, then the said bailiffs and their successors may distrain and arrest

the men of the aforesaid lordships of Wales, where such arrest or distress shall have been made, who shall happen to come within the liberty of the town aforesaid, and them may detain until full satisfaction shall have been made unto the men of the same town for the damage which they have sustained by the cause aforesaid.

And that the said burgesses, their heirs and successors may have of all welsh people coming to Ludlow aforesaid with their merchandizes, due toll and murage, and other customs there anciently had and used; and that assizes of provisions made and constituted by the bailiffs and good men of the borough aforesaid shall be holden and preserved on forfeiture of us.

Bailiffs and Recorder to be Justices of Gaol Delivery.
—Coroner to do the Duty of Sheriffs.

XXIII. AND further we have granted for us and our heirs to the aforesaid bailiffs and burgesses of the town aforesaid, their heirs and successors, that the bailiffs of the town aforesaid for the time being and the aforesaid recorder or steward of the town aforesaid for the time being, shall be justices of us and our heirs to deliver

the gaol of the town aforesaid of the prisoners being therein, and from henceforth from time to time to be committed to the same gaol for any cause whatsoever; so that no justice or justices of us or our heirs hereafter to be assigned to deliver any gaol in any manner by us or our heirs, shall in any wise enter the aforesaid town for that purpose. And that the coroner of the town aforesaid for the time being, shall from time to time make, return and extend all juries, inquisitions, pannels, attachments and extents to the aforesaid bailiffs and their successors and the recorder or steward of the town aforesaid the justices to deliver the gaol of the prisoners therein being, and from time to time henceforth to be there committed for any cause whatsoever, and the precepts of the same bailiffs and their successors and recorder or steward for the time being shall execute from time to time in the same manner and form as any sheriff of our kingdom of England, to such justices of gaol delivery of our said kingdom doth in any wise make, return, extend, or execute.

Grant of Tolls and Customs for the Reparation and Fortification of the Bridges, Gates, and Walls of the Town.

XXIV. ALSO we have granted for us and our heirs to the aforesaid bailiffs and burgesses of the town aforesaid, their heirs and successors aforesaid for ever, that they by the hands of certain of the good and lawful men of the same town whom they shall think fit from time to time to depute for that purpose, for the reparation, emendation, and fortification of the bridges, ports, towers, and walls of the town aforesaid, and for the munition and defence of the same town in the resistance of the rebels of Wales and the Marches thereof, may take, receive, and have yearly for ever, all and singular the customs underwritten (that is to say)

For every horse load of corn for sale of whatsoever kind it be, or malt, one farthing.

For every horse and mare, ox and cow, for sale, one half-penny;

For every tun of wine for sale, one penny;

For every hide of horse and mare, fresh or salt, or tanned, one farthing;

For every five hogs for sale, one half-penny;
And for ten porkers, one half-penny;
For ten sheep, goats, and pigs for sale, one
penny;

For every one hundred of skins of lambs
and goats for sale, one penny;

For every one hundred of woolfells for sale,
sixpence;

For every quarter of salt for sale, one far-
thing;

For every horse-load of cloth for sale, one
half-penny;

For every piece of cloth for sale, of the
value of forty shillings, one penny;

For every bale of cloth for sale brought by
a cart, three-pence;

For every hundred of worsted cloths for
sale, two-pence;

For every cloth of worsted which is called
coverlid of the value of forty shillings
for sale, one penny;

For every one hundred and fifty webs of
aylsham [cloth] for sale, one penny;

For every piece of wrought silk for sale,
one penny;

For every cart load of sea fish for sale, one
halfpenny;

For every one hundred of mullets, salt or dried fish for sale, one penny ;

For every horse-load of sea fish for sale, one farthing ;

For every salmon for sale, one farthing ;

For every dozen of lampreys for sale, one penny ;

For every cask of sturgeon for sale, one half-penny ;

For every last of herrings for sale, six-pence ;

For every horse-load of cinders for sale, one half-penny ;

For every horse-load of honey for sale, one penny ;

For every cart loaded for sale as well, one penny ;

By the week, likewise for one hundred weight of pewter, one penny ;

For every weigh of tallow and grease for sale, one penny ;

For every quarter of gails sold, two-pence ;

For two thousand of garlic or onions for sale, one half-penny ;

For every bale of leather for sale, three-pence ;

For every one hundred of boards for sale, one halfpenny ;

For every mill-stone for sale, one half-penny ;

For every hundred of faggots for sale, one farthing ;

For every cart-load of timber for sale, one half-penny ;

For every hundred of tin, brass, or copper for sale, two-pence ;

For every boat loaded with malt or other things whatsoever, exceeding the value of twenty shillings, one penny ;

For every bale of merchandize whatsoever, exceeding the value of twenty shillings, one half-penny ;

For every other merchandize not herein specified of the value of five shillings, one penny :

Of all things coming or brought for sale to the town aforesaid, and those sums of money from the customs aforesaid yearly arising, to be applied and expended from time to time towards the emendation, reparation, and fortification of the bridges, ports, towers, and walls aforesaid, in providing for the defence of the same town, without rendering any account thereof to us and our heirs in any manner at the exchequer, or at the receipt of the same,

Burgesses not to be put on Assizes, Juries, &c. out of the Town.

XXV. AND that none of the aforesaid burgesses shall be put on assizes, juries, and recognitions, or on any inquisitions to be performed of or concerning offences, trespasses or any other matters and things before any justices or ministers of us or of our heirs to be taken, except within the town aforesaid, before the bailiffs of the same town, and this of things done within the town aforesaid and the liberties thereof.

Burgesses acquitted of Taxes within Ludlow. — Bailiffs and Burgesses to have Alnage. — No other Alnager to intermeddle.

XXVI. ALSO we have granted that the same burgesses and their successors for ever shall be quit and exonerated from all tenths and fifteenths, subsidies, tallages, contributions, and other taxes and quotas whatsoever, and taxations thereof, to us, our heirs or successors by the commons of our kingdom of England hereafter to be granted, and within the said town, suburbs and precincts thereof to be levied; and that the bailiffs and burgesses of the town aforesaid, and their successors for the time being, shall have the measuring and

sealing of all and singular the cloths for sale within the town aforesaid and liberty thereof, without rendering any thing therefor to us our heirs or successors; so that no other alnager or minister of us, our heirs or successors shall hereafter in any wise intermeddle therein, within the town aforesaid.

Burgesses may trade with strangers.—All Grants and Liberties aforesaid confirmed.—No Justice or other Officer to intrude under Penalty of £.20.—If a Sheriff enters the Town he is punishable for infringing the Franchise.

XXVII. ALSO we have granted to the same burgesses that they, their heirs and successors may freely buy, sell, and merchandize as well with foreign merchants as with others, without impediment or claim of us or our heirs. Wherefore we will and firmly command for us and our heirs, that the aforesaid burgesses, their heirs and successors shall have and hold for ever all and singular the grants and liberties aforesaid, and them and every of them in manner and form above expressed from henceforth fully use and enjoy without impediment of us or our heirs; and that no justice, escheator, sheriff, coroner, or

others the bailiffs or ministers of us or our heirs in the county aforesaid whomsoever shall enter nor presume to enter the town aforesaid, suburbs and precincts thereof, nor intermeddle concerning any of the grants, franchises, or liberties of the aforesaid burgesses, their heirs and successors, of our town aforesaid by us and our progenitors granted, under the penalty of twenty pounds, to be levied to the use of us and of our heirs, on the goods and chattels of these justices, escheators, sheriffs, coroners, or others our bailiffs or ministers whomsoever, as often as they or either of them shall disturb the grants, franchises, or liberties aforesaid contrary to the power of the grant aforesaid.

Burgesses to choose two Representatives for Parliament.

—Not to contribute to expense of Knights of the Shire.

XXVIII. ALSO we have granted to the same burgesses, their heirs and successors, that they and their successors for ever, shall and may elect from among themselves, or others, two burgesses for the borough aforesaid, to come to the parliaments of us and of our heirs, and that the same burgesses so elected to come to the par-

liaments, in the parliaments of us and of our heirs shall be admitted and received, and in the same parliaments to be incorporated like as any other burgesses of any other borough of our kingdom of England; and that the aforesaid burgesses of the town aforesaid, nor their successors, shall not contribute, nor be holden, nor compelled in any manner to contribute to the expenses of the knights hereafter happening to come to the parliaments aforesaid for the county of Salop.

Burgesses may colour Woollen Cloths same as Burgesses of Bristol.

XXIX. ALSO, we have granted to the same burgesses, their heirs and successors for ever, that every burgess of the town or borough aforesaid may freely dye, without hindrance or impediment wool, woollen cloths, and other things whatsoever within the town and precincts aforesaid, as freely as the burgesses of our town of Bristol can or may dye in the same town of Bristol; and of our special grace without fine and fee in any wise to be paid in the hanaper of our chancery to our use for the premises, or any of them.

Every Article to be understood for Benefit of the Burgesses. — Lord Chancellor may amend Charter. — No Obstante Clause.

XXX. MOREOVER we will and grant that if this our charter in any part thereof shall be invalid or insufficient in law, or any defect in the same shall happen to be found, so that this charter in matter, form, or otherwise howsoever hath need of amendment, from thenceforth our Chancellor of England for the time being shall have power and authority, at the instance of the aforesaid bailiffs and burgesses, and their heirs and successors, or any of them, our same charter duly to amend, and to cause to be made another charter or letters patent of us or of our heirs to the aforesaid bailiffs and burgesses, their heirs and successors, or any of them, for the better advantage and utility of the same bailiffs and burgesses, their heirs and successors in this behalf, in due form as the case shall require, without any other petition therefore to us and our heirs for the amendment of the charter aforesaid on such account to be presented; and that the charter aforesaid so to them thereupon generally

made shall be of the same force, virtue, and effect as it would be if all other the things above specified were more especially, legally, and particularly expressed and specified in our same charter, and that it shall be read, understood, adjudged, and determined on the part of the same bailiffs and burgesses, their heirs and successors, against us and our heirs, as it might be the better known and understood, notwithstanding any omission, defect, negligence, repugnance, or contrariety in the same, although express mention of the true yearly value of all and singular the aforesaid customs and of other the premises above granted, nor of other gifts and grants to the same burgesses or their predecessors by us or our progenitors heretofore made is not made in these presents or any statute or act to the contrary made notwithstanding.

These being witnesses, the venerable father Thomas Archbishop of Canterbury, Primate of all England and Legate of the Apostolic See; our very dear cousin William Archbishop of York primate of England; George Bishop of Exeter our very dear kinsman and Chancellor; William Bishop

of Ely; George Duke of Clarence, Richard Duke of Gloucester, our most dear brothers; Richard Earl of Warwick, Henry Earl of Essex our Treasurer and our very dear kinsman; and our beloved and faithful John de Montague, knight; and William Hastings, knight, our Chamberlain; and our beloved Clerk Robert Stillington, keeper of our privy seal, and others.— Given by our hands the seventh day of December.

By the King himself and of
the date aforesaid by the
Authority of Parliament,

Examined 3rd March, 1814,
and this is a true copy of
the original Record of
Chancery remaining in the
Tower of London. }

SECOND CHARTER

OF

KING EDWARD IV.

TO THE

CORPORATION OF LUDLOW.

Dated 7th March, 1478.

EDWARD, by the grace of God King of England and France, and Lord of Ireland. To all to whom these letters patent shall come, greeting, (after reciting the former charter or letters patent dated the seventh December, in the first year of his reign, goes on as follows,)

Burgesses not to pay their Rents in the Exchequer.

I. WE will not those burgesses, bailiffs, or their successors, or any of them, or any of theirs, to be troubled for the aforesaid rent of twenty-four pounds thirteen shillings and four-pence, or any part thereof, to be paid us or our heirs in the exchequer, or that rent to be demanded there, nor any process out of the exchequer aforesaid, for that cause

to be made in any manner, or them or any of them to be vexed or troubled by any process to be made out of the exchequer aforesaid for that rent or any part thereof.

Town and Lands &c. granted to the Burgesses. — The Rent of £.24 13s. 4d. payable to the Receiver of the Lordship of Ludlow, and not to the Exchequer.

II. OF our special grace and from our certain knowledge and of our meer motion, we do grant to the aforesaid burgesses our town or borough aforesaid, and all lands, tenements, services, rents, and revenues, (except before excepted) to be had, received, enjoyed, and held by them, their heirs and successors, from the aforesaid feast of St. Michael of us and of our heirs in fee farm for ever, yielding therefore to us and our heirs yearly twenty-four pounds thirteen shillings and four-pence only, to be paid by equal portions at the feast of the Annunciation, and of the holy Apostles aforesaid, to the receivers or auditors of us or our heirs for our lordship of Ludlow, in the county of Salop, or any of them, and not to the exchequer of us or our heirs or elsewhere, or in other manner than to the

receivers or auditors aforesaid, or any of them, to the use of us or our heirs without any other to be paid or yielded therefore in any manner to us or our heirs.

The Acquittance of the Lordship of Ludlow a sufficient Discharge.—No Process to be issued out of the Exchequer for Rents.

III. AND we will and grant to the same burgesses and bailiffs and their successors, and every of them, that they by the acquittance of the receivers or auditors aforesaid, or any of them, of the receiving of the said rent of twenty-four pounds thirteen shillings and four-pence yearly or any part thereof, are thenceforth from time to time discharged and acquitted against us and our heirs. We will not, that process in any manner for the rent aforesaid to be paid or gathered for us or our heirs or for any part thereof be made out of the exchequer of us or our heirs, or in any manner settled, or those burgesses or bailiffs or their successors, or either of them be forced or compelled in any manner to account or answer to us or our heirs otherwise than before the auditors aforesaid.

*Burgesses acquitted for Taxes.—Bailiffs to have Alnage.
—No other officers to enter the Town or Liberties.—
Obstante Clause.*

IV. WE will also and grant to the same burgesses and their successors, that they and every of those burgesses and their successors be for ever acquitted and discharged against us and our heirs of all and singular tenths and fifteenths and every part thereof, and also subsidies, aids, taxes, talliages, contributions and quotas whatsoever to us or our heirs or successors by the community of our kingdom of England or in any other manner to be granted or given, and of all taxations levies or collections of the same, and any part and parts thereof. And that the bailiffs of the town aforesaid for the time being for ever shall have the aids, alnage, measuring, and sealing of all cloths sold within the town, liberties and precincts of the same; and all forfeits of all those cloths sold within the town, liberty, or precincts, or any part thereof to us, our heirs or successors happening or appertaining. And all the profits of the same aids, alnage, measuring, sealing, and forfeitures coming and arising,

or that shall come and arise in any future time for ever without any account or any other thing to us or our heirs in any manner therefore to be rendered or paid, so that no other alnager, farmer, approver, or occupier of the subsidies and alnages aforesaid, nor other minister of us or our heirs or successors concern themselves or any other henceforth within that town, the liberties and precincts of the same intermeddle in any manner: and this without fine or fee (beside twenty shillings only to us in our hanaper to be paid to our use) in any manner on this part to be had, taken or paid, for that express mention of the true yearly value of the premises or of other gifts or grants by us to the same bailiffs and burgesses or to any of them before this time made in these presents not at all expressed, or any statute, act, ordinance, provision or restriction whatsoever before this time made, enacted or provided notwithstanding.

In testimony whereof these our letters we have made to be patent. Witness myself at Westminster, the eighth day of March

H

in the eighteenth year of our reign,
MORTON.

By Writ of privy seal
and of the date afore-
said, by Authority of
Parliament.

Inrolled in the Exchequer amongst the
Records of the term of St Hilary, the
twenty-second year of King Edward the
Fourth. On the part of the Remembrancer.

KING RICHARD III.

By Inspeximus dated the twelfth of Febru-
ary, in the second year of his reign, ratifies
and confirms the Letters Patent of King
Edward the Fourth, dated the seventh
December, in the first year of his reign,
and that dated the eighth of March, in the
eighteenth year of his reign. (1484).

CURTIES.

KING HENRY VIII.

RECITING the Letters Patent of King Henry the Seventh, dated the eighteenth of November, in the second year of his reign, and the aforesaid Letters Patent of King Edward the Fourth, dated the seventh of December in the first year of his reign, and on the eighth of March in the eighteenth year of his reign, he ratifies and confirms the same by Letters Patent dated the twenty-seventh of February, in the first year of his reign. (1509).

YONG.

Ex. per William Malhom, Thomas
Waren, Clerks.

Inrolled in the Exchequer in
the twenty-eighth year of
Henry the eighth, among
the Rolls of Michaelmas
Term, Roll 20th, on the
part of the Remembrancer
by

R. LYSTER.

THE PALMERS' GUILD *ESTATE.*

AFTER the passing of an Act of Parliament in the reign of King Henry VIII. for surveying and effecting a dissolution of the monasteries, colleges, chantries, &c. in England, and for seizing the revenues thereof, the wardens and governors of the Palmers' Guild at Ludlow, were called before certain commissioners authorized by the said act; upon which it was shewn that a confirmation of the same guild had been made and granted unto the brothers and sisters, by his said Majesty; whereupon, the surveyor under the said act, was commanded not to disturb the revenue of the same guild. But, as will be seen hereafter, the brothers and sisters of the fraternity resolved to surrender their estates, lest a future enactment should involve them in the fate of the monasterial revenues.

SURVEY.

THE Particular of the Guild of Ludlow in the county of Salop, upon which letters patent were granted to the Bailiffs, Burgesses, and Commonalty of the town of Ludlow in the county of Salop, in the sixth year of the reign of the late King Edward the Sixth; now remaining amongst the records of the late court of augmentation of the revenues of the crown; the tenour of which particular follows in these words, (to wit)

The possessions of the Fraternity or Guild of Palmers, founded within the town of Ludlow, in the county of Salop, lying in the counties, towns, and hamlets underwritten, (to wit)

The MANSION.

In the site of the same guild or mansion house of the clerks there with the adjacent garden, and a certain hall called the Guild Hall in Ludlow aforesaid, before this not rented, per annum

£	s.	d.	£	s.	d.
1	12	0			

Divers parcels, closes or pastures and arable land within the town aforesaid and liberties of the same, in the several

Divers tenements or burgages built in the town of Ludlow, now or late in the several tenures of the persons undernamed, paying per annum the several rents specified, (to wit)-

Burgages in Ludlow.

					L. s. d.
William Tawney	-	-	-	-	0 14 0
Joan Troyte, widow	-	-	-	-	0 18 8
Alexander Cowell	-	-	-	-	1 12 0
John Holts	-	-	-	-	0 12 0
William Gittens	-	-	-	-	0 13 4
Elizabeth Glover	-	-	-	-	0 13 0
John Clee	-	-	-	-	0 19 0
Elizabeth Cutler	-	-	-	-	0 5 0
Robert Mullinger	-	-	-	-	0 6 0
Rice Ap Thomas	-	-	-	-	0 10 0
William Trumper	-	-	-	-	0 6 0
Hugh Gregg	-	-	-	-	0 10 0
Ralph Bodell	-	-	-	-	0 8 0
William Marteyn	-	-	-	-	0 6 8
Thomas Hooke	-	-	-	-	0 6 8
William Geers	-	-	-	-	0 7 0
John Humphreys	-	-	-	-	0 6 8
Richard Langford	-	-	-	-	0 3 4
John Rose	-	-	-	-	0 10 8
Edmund Bolland	-	-	-	-	0 13 4
Thomas Cox	-	-	-	-	0 8 0
William Minton	-	-	-	-	0 5 0
Walter Alysaunder	-	-	-	-	0 4 0
Thomas Padger	-	-	-	-	0 4 0
Robert Molynger	-	-	-	-	0 5 0
Thomas Hony	-	-	-	-	0 3 0
John Clee	-	-	-	-	0 10 0
William Tandy	-	-	-	-	0 6 0
Walter Jones	-	-	-	-	0 2 8
John Allcock	-	-	-	-	0 2 8
Richard Lawrence	-	-	-	-	0 4 0
Richard Ap Thomas	-	-	-	-	0 18 0
					14 13 8

Brought on

£. s. d.
13 17 1

				L. s. d.	L. s. d.
	Brought on	14	13	8	13 17 1
Robert Bradock	-	-	-	0 6 8	
Humphry Hinton	-	-	-	0 10 0	
John Crocket	-	-	-	0 12 0	
Richard Swansley	-	-	-	0 8 0	
Morris Phillips	-	-	-	0 12 0	
Thomas Rushbury	-	-	-	0 6 8	
William Tandy	-	-	-	0 10 0	
Henry Jones	-	-	-	0 8 0	
Richard Parx	-	-	-	0 12 0	
Richard Hanley	-	-	-	0 9 0	
Alice Wall	-	-	-	0 4 0	
Thomas Wheeler	-	-	-	1 13 4	
Richard Pyke	-	-	-	0 6 8	
William Hooke	-	-	-	0 4 0	
William Jamis	-	-	-	0 13 4	
Anthony Atkinson	-	-	-	1 8 4	
Elizabeth Bradshaw, widow	-	-	-	0 11 0	
Richard Sutton	-	-	-	0 8 0	
Elizabeth Okely, widow	-	-	-	0 6 0	
Richard Walker	-	-	-	0 10 0	
William Pike	-	-	-	0 6 8	
John Gwynne	-	-	-	0 1 0	
Egder Brewton	-	-	-	0 5 0	
Agnes Cropper	-	-	-	0 10 0	
Thomas Wheeler	-	-	-	0 12 4	
Eve	-	-	-	0 4 0	
Roger Swyte	-	-	-	0 4 0	
Katharine Turner	-	-	-	0 4 0	
Richard Eaton	-	-	-	0 10 0	
John Southorne	-	-	-	0 13 4	
Richard Sutton	-	-	-	0 13 4	
Richard Cross	-	-	-	0 10 0	
Robert Aleyn	-	-	-	0 8 0	
John Edwards	-	-	-	0 5 0	
William Carter	-	-	-	0 18 0	
Richard Salte	-	-	-	0 13 4	
Richard Bryan	-	-	-	0 10 0	
Robert Covell	-	-	-	0 8 0	
William Thelmick	-	-	-	0 10 0	
				33 13 8	

			£.	s.	d.	£.	s.	d.
	Brought on		33	13	8	13	17	1
William Fox, gent.	-	-	1	6	8			
Thomas Cother	-	-	0	16	0			
John Rowlin	-	-	0	5	0			
Walter Jones	-	-	0	8	0			
James Mascall	-	-	0	13	4			
William Langford	-	-	0	8	0			
John Shepard	-	-	0	8	0			
David Jones	-	-	0	13	4			
Walter White	-	-	0	6	8			
Thomas Wynne	-	-	0	7	0			
John Taylor	-	-	0	8	0			
Humphry Cother	-	-	0	16	0			
William Gammo	-	-	0	7	0			
John Ratfield	-	-	1	6	8			
Humphry Hall	-	-	0	10	0			
John Newton	-	-	0	13	4			
Alice Clee	-	-	0	10	0			
Richard Hobbye	-	-	0	12	0			
Hugh Donne	-	-	0	7	0			
Agnes Knapp	-	-	0	6	8			
Agnis Curtes	-	-	0	8	0			
Walter Lane	-	-	0	12	0			
John Sutton	-	-	0	11	0			
Richard Ferne	-	-	0	13	4			
Thomas Mascott	-	-	0	6	0			
Alice Rogers	-	-	0	1	0			
John Croket	-	-	0	2	0			
William Fox, gent.	-	-	0	10	0			
Lodowick Phillips	-	-	0	10	0			
Thomas Draper	-	-	0	1	4			
Hoell Glover	-	-	0	1	0			
Richard Handley	-	-	0	1	0			
William Evans	-	-	0	0	6			
John Carpenter	-	-	0	0	8			
Thomas Cox	-	-	1	6	8			
William Hooke	-	-	0	2	8			
Richard Langford	-	-	1	4	0			
William Langford	-	-	1	12	0			
Lodowick Phillips	-	-	1	13	4			
			54	18	10			

			L.	s.	d.	£.	s.	d.
	Brought on	54	18	10		13	17	1
Thomas Bedow	-	-	1	6	8			
William Chelmick	-	-	0	0	6			
Morris Phillips	-	-	0	1	0			
Richard Whiston	-	-	0	13	4			
John Bell	-	-	0	1	6			
John Griff Bocher	-	-	0	12	0			
Richard Sherwood	-	-	1	6	8			
Walter Taylor	-	-	0	1	2			
John Cox	-	-	0	13	4			
Edmund Shermand	-	-	0	15	0			
Richard Langford	-	-	0	18	0			
John Brawlyn	-	-	0	13	4			
William Benson	-	-	1	4	0			
William Ferne	-	-	0	14	0			
John Taylor, barber	-	-	0	10	0			
John Griff	-	-	0	12	0			
William Langford	-	-	0	6	8			
William Phillips	-	-	0	6	8			
Thomas Wheeler	-	-	0	10	0			
Anne Frogood	-	-	0	3	0			
Richard Sutton	-	-	0	1	4			
Total of Tenements or Burgages in repair in Ludlow	}					66	9	0
						80	6	1

Divers Tenements or Burgages, greatly in ruins, late in the several tenures of the several persons undernamed, paying therefore per annum the several rents below specified, (to wit)

	Brought on	£.	s.	d.	£.	s.	d.
Thomas Cook	-	0	12	0	80	6	1
Joan Frayte, widow	-	0	6	8			
Thomas Cother	-	0	13	4			
David Cook	-	0	6	8			
Thomas Stockwall	-	0	8	0			
		2	6	8			

			L	s.	d.	L.	s.	d.
	Brought on		2	6	8	80	6	1
John Lingers	-	-	0	6	8			
Edward Freeman	-	-	0	8	0			
Isabella Hill, widow	-	-	0	6	8			
Thomas Bradford	-	-	0	9	0			
Peter Ford	-	-	0	9	0			
Richard Ap Hoell	-	-	0	10	0			
Richard Griffiths	-	-	0	8	0			
Walter Hook, clerk	-	-	0	10	0			
John Dongland	-	-	0	9	0			
Thomas Vaughan	-	-	0	8	0			
Ralph Wittington	-	-	0	8	0			
John Lokur	-	-	0	4	0			
Elizabeth Trussall	-	-	0	6	0			
Thomas Russell	-	-	0	4	0			
William Ferne	-	-	0	3	0			
Edmund Shermond	-	-	0	6	8			
Robert Harper	-	-	0	13	0			
John Cleobury	-	-	0	8	0			
Agnes Curtis	-	-	0	3	0			
Sibill Mason	-	-	0	3	0			
Agnes Draper	-	-	0	12	0			
Agnes Barker	-	-	0	4	0			
William Jefferys	-	-	0	5	0			
John Ap Thomas	-	-	0	6	0			
Agnes Rabbons	-	-	0	4	0			
Roberts Edwards	-	-	0	4	0			
<i>And now in decay and void, so that no rent is received for the same.</i>								
The Tenements and Burgages in decay			11	4	8	11	4	8
						91	10	9
<i>Divers Tenements or Burgages (now totally decayed,) late in the several tenures of</i>								
Katherine Williams	-	-	0	4	0			
John Edwards	-	-	0	10	0			
David Ap Richard	-	-	0	3	0			
Richard Terns	-	-	0	10	0			
William Jefferys	-	-	0	5	8			
			1	12	8			

			L.	s.	d.	L.	s.	d.	
	Brought on	1	12	8		9	1	10	9
William Langford	-	-	0	0	8				
Thomas Cooke	-	-	0	6	8				
John Gwynne	-	-	0	0	4				
William Benson	-	-	0	0	8				
John Jefferys	-	-	0	4	0				
John Tomkins	-	-	0	6	8				
			2	11	8	2	11	8	
<i>The above are totally in decay, prostrated so that no rent for the same</i>						94	2	5	

DIVERS RENTS formerly given to the said Fraternity by divers persons, called the SOCK RENTS, and formerly paid by

John Moreton	-	-	0	1	3
John Hooke	-	-	0	2	4
Elizabeth Bradshaw	-	-	0	1	9
Hoell Ap Rice	-	-	0	0	8
Earl of Oxon and John Littleton, esq.	0	1	4		
William Fox, gent,	-	-	0	4	10
John Gwynne	-	-	0	1	9
John Singler	-	-	0	0	10
Richard Bradford	-	-	0	11	1
John Lokier	-	-	0	0	10
Edmund Shermant	-	-	0	4	4
William Phillips	-	-	0	0	6
Thomas Cother	-	-	0	1	0
Richard Whittall	-	-	0	2	0
Roger Ferne	-	-	0	1	0
Robert Whodde	-	-	0	1	0
John Follyat	-	-	0	1	8
Thomas Hybbyn	-	-	0	0	4
Robert Mason	-	-	0	2	6
Lodowick Beadow	-	-	0	1	0
			2	2	0

			L	s.	d.	L.	s.	d.
	Brought on	-	2	2	0	94	2	5
Thomas Cresset	-	-	0	1	10			
William Bradshaw	-	-	0	0	3			
Richard Langford	-	-	0	0	1			
Walter Taylor	-	-	0	1	0			
Hugh Preseley	-	-	0	1	0			
John Broke	-	-	0	1	2			
Margaret Sherman	-	-	0	0	2			
Walter White	-	-	0	0	6			
William Patryck	-	-	0	1	2			
William Langford	-	-	0	1	4			
Thomas Cloungunnas	-	-	0	0	4			
William Cleobury	-	-	0	0	2			
John Whitton	-	-	0	1	3			
Thomas Fisher	-	-	0	2	4			
John Taylor	-	-	0	0	6			
Richard Selman	-	-	0	0	10			
John Penell	-	-	0	0	8			
Mary Calfhill, widow	-	-	0	0	4			
John Buston	-	-	0	2	0			
William Hook	-	-	0	0	6			
John Bell	-	-	0	2	4			
Edward Sedgwick	-	-	0	1	0			
Morris Phillips	-	-	0	0	3			
Thomas Wellyns, in Cleobury-Mor-	-	-	0	9	0			
timer	-	-						
None of the above have been levied for the space of twelve years next preceding, nor now can be levied:—								
Total Sock Rents			3	12	0	3	12	0
						97	14	5

Tenements in Ludlow in reversion.

Two tenements, with the gardens and orcharding to the same appertaining, in Ludlow aforesaid, in the tenure of John Shrawley, per annum *L.1 14s. 8d.* to him demised by indenture, sealed with the common seal of said guild, to hold to the same John for the term of his

	L. s. d.	£. s. d.
Brought on		97 14 5
life, paying therefore yearly one red rose		
as is said - - -	1 14 8	
One other tenement there in the		
tenure of Richard Langford, per ann.		
L1. demised to him by indenture sealed		
with the common seal of said guild, to		
hold to the same Richard for the term		
of his life, paying therefore per ann.		
one red rose, as is said -	1 0 0	
One other tenement there in the		
tenure of Thomas Leawys, per ann. 16s.		
demised to him by indenture, sealed		
with the common seal of said guild, to		
hold to the same Thomas for the term		
of his life, paying therefore per ann.		
one red rose as is said -	0 16 0	
In reversion total	3 10 8	3 10 8
Divers rents issuing out of divers		
lands and tenements in North-Cleo-		
bury, in the tenure of divers persons,		
per ann. - - -	0 13 10	
Quit Rent issuing out of one pas-		
ture in Greete, in the tenure of W.		
Fox, esq. per ann. - - -	0 16 8	
Quit Rent issuing out of divers lands		
in Stanton-Lacy, in the tenure of Roger		
Cox, per ann. - - -	0 5 0	
Quit Rent issuing out of a tenement		
in Heath, in the tenure of William		
Heath, per ann. - - -	0 7 0	
Quit Rent issuing out of one other		
tenement in Heath aforesaid, in the		
tenure of Knott, per ann. -	0 3 0	
Quit Rent issuing out of a tenement		
in Posterne, in the tenure of Burton,		
per ann. - - -	0 2 0	
	2 7 6	101 5 1

	L.	s.	d.	L.	s.	d.
Brought on	2	7	6	101	5	1
Quit Rent issuing out of a mill in Wafers-Hopton, in the tenure of Rd.						
Hide, gent. per ann.	-	0	1	8		
Quit Rents in all	2	9	2	2	9	2
One messuage and divers lands, meadows, and pastures to the same belonging with the appurtenances in Ashford, in the tenure of Richard Dobles, paying yearly	-	0	13	4		
One cottage and one barn with the appurtenances in Ashford, in the tenure of Richard Palmer, gent. pay- ing per ann.	-	-	0	8	0	
One other cottage with the appur- tenances, in Ashford, in the tenure of Richard Davies, paying per ann.	0	10	0			
One Tenement or cottage with divers lands, meadows, and pastures to the same belonging with the appurtenan- ces, in Diddlebury, in the tenure of Thomas Norncote, paying yearly	0	9	0			
One parcel of meadow in Felton in the tenure of Charles Fox, gent. pay- ing yearly	-	-	0	2	0	
One messuage and divers lands, meadows, and pastures, to the same belonging with the appurtenances, in North-Cleobury, in the tenure of Nicholas Crowne, paying yearly	0	10	0			
One other messuage and divers lands, meadows, and pastures to the same belonging with the appurtenan- ces, in Aintree, in the tenure of R. Crome, paying per annum	-	1	13	4		
One other messuage with divers lands, meadows, and pastures to the same belonging with the appurtenan-						
	4	5	8	103	14	3

	£.	s.	d.	£.	s.	d.
Brought on	4	5	8	103	14	3
ces, in Long Staunton, in the tenure of Thomas Cox, paying per annum	0	18	0			
One other messuage and divers lands, meadows, and pastures to the same belonging with the appurtenances in Brokehampton, in the tenure of John Wolf, paying per annum	1	0	0			
One cottage with the appurtenances in Thongland, in the tenure of John Cox, paying yearly	0	7	0			
Divers parcels of land in Wafers-Hopton, called Moreley Land, in the tenure of W. Earsland, per annum	0	1	1			
One messuage with divers lands, meadows, and pastures to the same belonging with the appurtenances there, Wafers-Hopton, in the tenure of Wm. Weaver, paying per annum	0	18	4			
Divers parcels of land there called the Park Rent, in Wafers-Hopton aforesaid, in the tenure of R. Hyde, per annum	0	0	4			
One messuage with divers lands, meadows, and pastures there, in tenure of William Wellyns, per annum	0	14	4			
One parcel of land called the Downe, in the tenure of W. Haycocks, per annum	0	1	6			
Divers lands arable in Wyfyld in the tenure of Richard Hide, per ann.	0	0	9			
One messuage with divers lands to the same belonging, in Sposeley, in the tenure of Thomas Hay, per ann.	1	2	0			
Divers messuages, cottages and lands in Salop	9	9	0	9	9	0
				113	3	3

In the County of Hereford.

One messuage with the appurtenances in Huntington, with divers lands,

	£. s. d.	£. s. d.
Brought on		113 3 3
meadows and pastures to the messuage aforesaid belonging, in the tenure of George Waleley, paying per annum	1 0 0	
One other messuage with divers lands, meadows, and pastures to the same belonging with the appurtenances there, in the tenure of Walter Howton, paying per annum	0 10 0	
Divers parcels of arable land in Blethloo, in the tenure of Roger Bake- house, paying per annum	0 10 0	
One tenement or cottage in Overton, in the tenure of Roger Mascall, paying per annum	0 8 0	
One messuage and one cottage with divers lands, meadows, and pastures to the same belonging with the appur- tenances, in Overton aforesaid, in the tenure of the aforesaid Roger Mascall, paying per annum	1 6 8	
Divers parcels of arable land there in the tenure of the aforesaid Roger Mas- call, paying per annum	0 3 4	
One cottage with the appurtenances in Aston, in the tenure of E. Chelmyck, per annum	0 6 8	
One cottage with lands to the same belonging with the appurtenances, in Morton, in the tenure of Eyre, widow, per annum	0 10 0	
One tenement or burgage in Leomin- ster, in the tenure of John Green, weaver, paying per annum	0 12 0	
Divers messg. in Herefordshire total	5 6 8	5 6 8
		118 9 11
<i>In the County of Worcester.</i>		
One messuage with divers lands, meadows, and pastures to the same		

	L.	s.	d.	L.	s.	d.
Brought on				118	9	11
belonging with the appurtenances, in Eastham, in the tenure of William Hill, paying per annum -	0	10	0			
A messuage with the appurtenances there, in the tenure of John Buston, per annum -	0	4	0			
One other messuage with the appurtenances there, in the tenure of William Brydde, paying therefore per annum	0	12	0			
Divers messg. in Worcestershire total	1	6	0	1	6	0

In the County of Wilts.

Two messuages or cottages with gardens to the same belonging in Marlborough, in the tenure of _____ demised to him by indenture, sealed with the common seal of said guild, to hold for a term of years yet in being, paying per annum one red rose as is said, yet the premises will pay the yearly rent of 1 8 0

Tenements in Wiltshire total 1 8 0 1 8 0

Sum total of all the Premises with the

L. 4 18s. 8d. in reversion - - - 121 3 11

REPRIZES,

(TO WIT,)

	L. s. d.	L. s. d.
In Rent paid back to our Lord the King as late receiver, in the parish of Bitterley, in the county of Salop	1 0 0	
And the same as late the Priors of Wenlock, in the county aforesaid	0 6 8	
And late the priors of Avonbury	0 0 6	
To the bailiffs of Ludlow for rent called burgage rent, issuing out of the aforesaid tenements in Ludlow, part of their fee farm, per annum	7 7 7	
To the Bishop of Worcester and his successors as the lord of the manor of Richard's Castle, in the said county of Hereford	0 6 0	
To John Witton, gent. and his heirs	0 10 8	
To William Cheese and his heirs out of a tenement in Ashford	0 0 5	
To the bailiffs of the town of Leomin- ster, in the county of Hereford out of the tenements there	0 0 3	
	9 12 1	9 12 1
And in rents before specified and charg- ed called Sock Rents, of which none have been levied for the space of twelve years next preceding, nor can they be levied, per annum	3 12 0	3 12 0
And for divers tenements in Ludlow aforesaid totally decayed yet charged be- yond the soil of them valued at 3s. 4d. per annum	2 8 4	2 8 4
And in fees to William Langford, war- den of the Guild aforesaid for the super- vising the reparations of the tenements aforesaid, per annum	2 6 8	
		15 12 5

	L. s. d.	L. s. d.
Brought on	2 6 8	15 12 5
To Richard Langford, bailiff and collector of the rents of all the premises aforesaid per annum	- - 5 0 0	
To Richard Cupper auditor of all the accounts of possessions aforesaid per ann.	2 13 4	
Granted to them by several writings, sealed with the common seal of the said guild, for the term of each of their lives in all per annum	- - 10 0	10 0 0
And in an annuity to Morris Phillips, musician and organist in the church of Ludlow, granted to him by their writing, sealed with the common seal for the term of his life, per annum	- - 4 0 0	4 0 0
Total Reprizes allowed	- -	29 12 5
And rests clear per annum (with the L. 4 18s. 8d. in reversion)	- -	91 11 5

MEMORANDUM

That divers tenements in Ludlow aforesaid of the yearly value of *L.* 11 4s. 8d. so charged in this particular, besides the decays mentioned in the reprizes above said to be very ruinous and far out of reparation, and by means thereof to be void and not inhabited, and no rent is or hath been lately answered for the same.—Item: It appeareth by the accounts from the 13th year of the late Henry 8th unto the 37th of the same late King, that the reparation of the same tenements in Ludlow have amounted combz. annis to the sum of *L.* 24 35 4 8

There is an Almshouse to the same guild appertaining with 33 chambers therein, and every chamber a chimney, not valued with this particular because the same is inhabited with poor people in number 33, according to the foundation and ordinance of John Hosyer, to

	£.	s.	d.	£.	s.	d.
Brought on	35	4	8			
every of which poor people is weekly allowed four-pence, according to the same ordinance, coming in the whole to the yearly sum of	-	-	-	28	12	0
Item. There is yearly allowed and paid to a Schoolmaster keeping a Free Grammar School within the said town, wherein the surveyor hath known Walter Hook, schoolmaster, by twenty years last past, and more, and before him — Forster, clerk, and before him Beby, clerk, and hath been scholar with them, whose stipend hath been heretofore £.13 6s. 8d. and now by reason of the diminishing of the possessions as aforesaid is	-	-	-	10	0	0
	£.	s.	d.			
To W. Wyat for his stipend	6	0	0	16	13	4
To Ed. Colley, priest	-	5	6			
To R. Cupper, priest	-	5	6			
Divers Obits yearly	-	-	-	5	15	8
Sum total of the charges and employments last mentioned	-	-	-	96	5	8
So in surplus (above revenue)	-	-	-	4	14	2
				91	11	6

L

The first of June, the 5th of EDWARD VI.

MEMORANDUM,

THAT at such times as the King's commissioners lately authorized for the survey and dissolution of certain colleges, chantries, &c. by act of parliament lately given unto the King's Majesty, called before them the warden and divers others the governors of the said Guild or Fraternity; the said warden and brothers shewed before the said commissioners the confirmation of the same guild made and granted unto them by the late King of most worthy memory, King Henry the Eighth, under his great seal of England, supposing that the same guild by means thereof was not within the compass of the said statute. Whereupon they were by the said commissioners referred to the further ordering of the chancellor and counsel of the King's Majesty's court of augmentations and revenues of his Highness' crown, by whom the surveyor was commanded not to meddle with the revenue of the said guild, for divers considerations, until the King's pleasure were further known therein. So as his

Majesty has not yet been answered of any profits of the revenue of the same.

Ex. per RICHARD CUPPER.

The King pleased to give the same to Ludlow Corporation.

THE KING'S Majesty is pleased and contented to give and grant the premises to the Bailiffs, Burgesses, and Commonalty of the town of Ludlow, in the county of Salop, and to their successors for ever: To hold the same in fee soccage, and yielding therefore yearly to the King's Highness, his heirs and successors, eight pounds thirteen shillings and four-pence to be paid to the receiver of the court of the augmentation and revenues of his Highness' crown, at the feast of St. Michael the Archangel, and at the Annunciation of our Blessed Lady, by even portions: and the said bailiffs, burgesses and commonalty and their successors, always to find in the same town, at their own costs and charges, a Free Grammar School with a Schoolmaster and Usher, for the erudition of Youth in the Latin Tongue: and also thirty-three poor

and impotent people, and every of them to have a chamber and fourpence weekly; and also one honest learned man to preach God's word, which shall be named the Preacher of the town of Ludlow; and one honest and discreet Minister to assist the parson there in the ministration of the divine sacraments and services there, which shall be called the Assistant to the parson of the parish of Ludlow. And the said schoolmaster, usher, preacher, and assistant, and every of them, to be nominated and appointed by the discretion of the said bailiffs, burgesses, and commonalty. And the said bailiffs, burgesses, and commonalty to have the issues and profits of the premises from the time that the premises come to the King's Majesty's hands.

By SAKEVILE.

MEMOMRANDUM, that we the bailiffs, burgesses, and commonalty of the town of Ludlow, in the county of Salop, do require to have in gift of the King's Majesty, the lands, tenements, and hereditaments contained and specified in the particulars hereunto annexed. In witness whereof to this

bill we have put our common seal the eighth day of June, in the fifth year of the reign of our Sovereign Lord Edward the Sixth, by the grace of God King of England, France, and Ireland, Defender of the Faith and of the Church of England, and also of Ireland in Earth the supreme Head.

Taken from an Inspeximus exemplified under the Seal of the Court of Exchequer at the request of the Bailiffs, Burgesses, and Commonalty of the Town of Ludlow aforesaid, the 26th of June, the 9th year of King James, 1611.

THE
PALMERS' GUILD SURRENDER
TO
EDWARD THE SIXTH.

Dated 1st June, 1551.

THE WARDEN of the Guild or Fraternity of Palmers of the Blessed Virgin Mary in Ludlow, in the county of Salop, and the brothers and sisters of the same guild or fraternity, by deed under their common seal, dated the first of June in the fifth year of King Edward the Sixth, and acknowledged by them in Chancery the

eleventh of June aforesaid (or next following), did give, grant and confirm unto King Edward the Sixth all the site &c. called the College House with the appurtenances; and also all houses, messuages, lands, tenements, &c. rents, reversions, services, &c. situate in the several towns, fields, parishes, or hamlets of Ludlow, Ashford, Seete, Dyddlebury, Aston, Felton, Greete, North Cleobury, Sterrington, Ayntree, Cleobury-Mortimer, Long Stanton, Poston, Brookhampton, Rock, Thongland, Heath, Wafers-Hopton, Stanton-Lacy, Prior-Halton, and Sproseley, in the county of Salop: Huntington, Blethloo, Overton, Aston, Moreton, Ludford, and Leominster, in the county of Hereford; Eastham, in the county of Worcester, and Marlborough, in the county of Wilts, or eslewhere in the kingdom of England, to the said guild or fraternity belonging, to hold to the said King his heirs and assigns for ever; to the proper use and behoof of the said King his heirs and assigns for ever.

Extracted from a Copy examined with
the Record by THOMAS MOTHAM.

CHARTER
OF
KING EDWARD VI.
TO THE
TOWN OF LUDLOW.

Dated 26th April, 1552.

*Former Charters recited, allowed, ratified, and confirmed,
(except the Market and Fair.)*

EDWARD the Sixth by the grace of God of England, France, and Ireland King, Defender of the Faith, and on earth supreme Head of the Church of England and Ireland. To all to whom these presents shall come greeting: (reciting the letters patent of King Henry the Eighth dated 27th February, in the first year of his reign; of King Henry the Seventh, dated the 18th November in the second year of his reign; and of King Edward the Fourth dated the 7th December, in the first year of his reign, and the 8th of March, in the eighteenth year of his reign; he allows ratifies, and confirms the same, and all and singular in them or any of them contained and specified, (except the market and fair)

he gives and grants in as full and ample manner as he could.)

Petition to alter Market-Day.

II. AND because we understand by the petition of the bailiffs, burgesses, and commonalty of the town or borough aforesaid, that it would be more useful and commodious to the aforesaid bailiffs, burgesses, and commonalty, and to the inhabitants and sojourners of the aforesaid town and the suburbs thereof and the towns adjoining, and to the common wealth of them, if we would vouchsafe to change and alter the market-day, in the aforesaid former letters patent specified, to another day; and that they might have within the town or borough aforesaid two fairs, and at other times there as is abovesaid.

Market to be on Monday.—Two Fairs annually.

III. KNOW ye therefore, that we at the request and desire of the aforesaid bailiffs, burgesses and commonalty, of our abundant grace and certain knowledge and mere motion, have given and granted and by these presents do give and grant to the aforesaid bailiffs, burgesses, and common-

alty of the town or borough aforesaid, and their successors, that they, their heirs and successors for the like market as by the former letters patent of the aforesaid Lord Edward, our great grandfather and progenitor, upon the Thursday weekly, they had and held or ought to have had or held, they may have and hold every week upon the Monday for the future, with all profits and conveniences which belong to a market, and in as ample manner and form, and with the same profits, conveniences, and advantages as they or their predecessors were accustomed to have and take in or by the market, held there on the said Thursday, or ought to have had or taken by force of the letters patent aforesaid. And that the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid, and their heirs and successors shall have and hold in the town aforesaid, two fairs every year there with court of pye powder; and all which fairs and courts of pye powder belong or appertain, or ought to belong or appertain. Every of which fairs shall endure three days, to be had and held yearly in manner as follows (to wit)

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One of these fairs on the vigil, the day, and the morrow of the feast of St. Lawrence the martyr, (that is the ninth, tenth, and eleventh days of August); and the other on the vigil, the day, and the morrow of St. Katharine the virgin (that is, the twenty-fourth, twenty-fifth, and twenty-sixth days of November) annually to be had and kept, with all profits, conveniences, and advantages and emoluments of the fairs aforesaid concerning. So that nevertheless they are not nor any or either of them be to the hurt of any neighbouring markets and fairs. And so that from henceforth they do not hold within the same town or borough any or other fair or market than these we have given or granted by our present letters patent.

The Palmers' Guild Estate granted to the Corporation.

—£.8 13s. 4d. to be paid to the Crown yearly.

IV. AND moreover know ye, that we, at the humble petition of the bailiffs, burgesses and commonalty of the said town or borough of Ludlow, and for the relief and better sustaining of the same town or borough of Ludlow, and for other reasonable causes and considerations us at pre-

sent especially moving, and of our special grace and from the certain knowledge and mere motion of us, we have given and granted and by these presents do give and grant to the aforesaid bailiffs, burgesses and commonalty of the said town or borough of Ludlow, all the site, place, circuit, and precinct of the late house of the Palmers' Guild of the Blessed Virgin Mary, in Ludlow, in the county of Salop, called the College House, with the appurtenances, and all houses, edifices, curtilages, barns, orchards, gardens, lands and grounds, whatsoever within the site, circuit, and precincts of the same house, and to the same guild or fraternity but late belonging, and late being parcel of the possessions and revenues of the same guild or fraternity. And all messuages, lands, tenements, meadows, fields, pastures, curtilages, dove-houses, mills, tofts, barns, cottages, waters, fisheries, commons, wastes, furzes, heaths, woods, underwoods, orchards, rents, revenues, services, common of pasture, and rents upon whatsoever demises and grants reserved, and all other rights, profits, considerations, emoluments,

possessions, reversions, and hereditaments whatsoever of us, with the appurtenances, situate, lying, and being in the towns, fields, parishes and hamlets of Ludlow, Ashford, Seete, Diddlebury, Aston, Felton, Greete, North Cleobury, Sterrington, Ayntree, Cleobury Mortimer, Long Stanton, Postern, Brockhampton, Rock, Thongland, Heath, Wafers - Hopton, Stanton - Lacy, Prior's-Halton and Sproselly in the county of Salop; and in the towns, fields, parishes and hamlets of Huntington, Blethloo, Overton, Aston, Moreton, Ludford and Leominster in the county of Hereford; and in the town and fields of Eastham in the county of Worcester, and in Marlborough in the county of Wilts, and elsewhere wheresoever in the same counties or any of them, or elsewhere wheresoever in the kingdom of England, to the said guild or fraternity in any manner belonging or appertaining, or as parts or parcels of the lands, possessions or revenues of the same late guild or fraternity, or as members or parcels of the said late guild or fraternity before this time known, taken, used or reputed to be as fully, freely, and entirely, and as ample

manner and form as any wardens, brothers and sisters of the said late guild or fraternity, or any or either of them the premises or any parcel thereof before this time having, possessing, or being thereof seized and the same or any parcel thereof ever had held or enjoyed, or ought or could have held or enjoyed; and as fully, freely, and entirely, and in as ample manner and form according as the same all and singular come, or ought to have come to our hands by reason or pretence of any gift, grant, confirmation, or surrender by the warden, brothers and sisters of the said guild or fraternity under their common seal to us in any manner made, or by reason or pretence of any act or acts of parliament, or in any other way, right, or title whatsoever, and now being or ought or should be in our hands; to have, hold, and enjoy the aforesaid site, circuit and precinct, the said house of the said late guild or fraternity, and the aforesaid messuages, lands, tenements, rents, revenues, services, and all and singular the premises above expressed and specified, with all their appurtenances to the aforesaid bailiffs,

burgesses, and commonalty of our said town or borough of Ludlow and their successors for ever: To be held of us, our heirs and successors as of our Castle of Ludlow, in our said county of Salop: and yielding therefore yearly to us, our heirs and successors eight pounds thirteen shillings and fourpence of good and lawful money of England, in the court of augmentation and revenues of the crown, at the feast of St. Michael the Archangel, and the annunciation of the Blessed Virgin Mary, by equal portions every year; to be paid for all services, rents, and demands whatsoever for the premises, or any part of them, to us our heirs or successors to be yielded, paid, or made in whatsoever manner.

The Rents of the Guild Estate granted to the Corporation.

V. AND also, we have given and granted, and by these presents of our grace, knowledge, and mere motion aforesaid, do give and grant to the aforesaid bailiffs, burgesses, and commonalty, of the said town or borough of Ludlow, all issues, rents, revenues and profits coming, growing or renewing of the aforesaid site, cir-

cuit, and precinct of the house of the said late guild or fraternity, and the aforesaid messuages, tenements, meadows, fields, pastures, and of all and singular the rest of the premises from the time the same messuages, lands, tenements, meadows, fields, pastures, and of all and singular the rest of the premises from the time the same messuages, lands, tenements, and other the premises came or ought to have come to our hands. To hold the same to the said bailiffs, burgesses, and commonalty of the town or borough of Ludlow aforesaid, of our gift, without any account or any thing therefore to be yielded, paid, or made to us, or our heirs or successors, in any manner. The statute of lands and tenements to mortmain not to be put, or any other statute, act, ordinance, provision or restriction therefore to the contrary before this made, enacted, ordained, and provided, or any other matter, cause or thing whatsoever in any way notwithstanding.

*Recital of the Supplication of the Corporation of former
Uses.*

VI. AND WE, by the supplication of the said bailiffs, burgesses and commonalty

of the town or borough aforesaid, understanding that certain burgesses the predecessors of the now burgesses of the town or borough aforesaid, of their pious devotion, erected, constituted, and ordained the said guild or fraternity to be serviceable to laudable and pious uses, (to wit) for the sustaining and relieving the poor and impotent, and also for the supporting and maintaining a grammar school, in which children and youth might be instructed, and for other pious uses. The said messages and all and singular other the premises to the said guild or fraternity had been given and granted, which certain works or practices are thought by us greatly laudable, pious and necessary for the benefit and convenience as well of the said town or borough as of all the country adjacent, to be kept, maintained, and continued.

A Grammar School to be supported, with a Master and Usher.—An Almshouse.

VII. WE will, therefore, that the same bailiffs, burgesses, and commonalty of the town or borough aforesaid, of the issues and profits of the premises shall keep, observe, and continue the said grammar

school in the aforesaid town of Ludlow, for the educating, instituting, learning, and instructing of children and youth in grammar from henceforth for ever. And that school is to be kept by one master and one usher: and also that the same bailiffs, burgesses, and commonalty of our town or borough aforesaid, shall keep and maintain with the issues and profits of the said messuages, and of the other premises, with the appurtenances late appertaining or belonging to the said late guild or fraternity, thirty-three poor indigent persons within the said town or borough of Ludlow, giving or paying to every of them four-pence every week annually, and also one chamber for every of them to live in, to be continued for ever.

A Preacher for the Town.

VIII. WE will also, that of the rest, one discreet, able, and fit person learned in holy writ, a man famous for innocence and integrity of life, be and shall be made, by whom the Holy Evangelists may be incorruptibly expounded, and for the administration of the sacrament according to the word of God and apostolic observation,

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who shall be and be called the Preacher of our town or borough of Ludlow aforesaid, which preacher shall be for ever constituted and maintained of the issues and profits of the lands and tenements and of other the premises for the time being.

Parochial Duty too much for one Person.

IX. AND also for that our said town or borough of Ludlow aforesaid is very populous and filled with many families, so that one minister alone is not able to attend and execute duly in such multitudes of townsmen frequenting those things which to the office and charge of a pastor belong.

Assistant to the Rector of St. Lawrence.

X. WE will, therefore, an able and fit person to be Assistant chosen to the rector of the parish there in partnership of his function and charge, who shall be and be called Assistant to the Rector of the church aforesaid for ever to endure, which assistant of the issues and profits of the premises before granted for the time being for ever by the aforesaid bailiffs, burgesses, and commonalty shall be sustained and maintained.

Schoolmaster, the Usher of the School, the Preacher of the Town, the Assistant to the Rector, and the indigent Inhabitants of the Alms house, all removeable at the discretion of the Bailiffs, Burgesses, and Commonalty.
—Power to elect others:

XI. AND furthermore, of our abundant grace and out of certain knowledge and mere motion of us aforesaid, we have granted and given license, and by these presents do grant and give license for us our heirs and successors to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that they and their successors from time to time, when it shall be necessary, by their discretion, the said school master of the school aforesaid, usher, preacher of the town or borough aforesaid, and assistant to the said rector of the church aforesaid for the time being, and also the poor indigents there being, and every of them for causes and occasions which to them shall seem just and reasonable to change and remove and others or other able and fit men, or other able and fit man in the said places or offices, or place or office of schoolmaster or usher of the school aforesaid, preacher of the town or borough aforesaid, assistant

to the said rector of the church aforesaid, and also the poor and indigent, or any of them so as aforesaid to name, elect, and admit from time to time, as often as it shall be expedient, for the good and sound government of the offices and places aforesaid, or of any of them, is thought to be conducive. For that express mention of the true yearly value or other certainty of the premises, or any of them, or of other gifts or grants by us or any of our progenitors to the aforesaid bailiffs, burgesses, and commonalty before this time made in these presents in the least being made or any statute, act, ordinance, provision or restriction therefore to the contrary made enacted, or provided, or any other matter, cause or thing whatsoever, in any wise notwithstanding. In testimony whereof we have caused these our letters to be made patent. Witnes myself at Westminster, the twenty-sixth day of April in the sixth year of our reign.

ADAMS.

By the King himself and of the date aforesaid, by Authority of Parliament.

Examined, H. SHAWFIELD,—Inrolled in the Office
JOHN HANBIT. *Auditor.*

QUEEN MARY,

AFTER recital and Inspeximus of the Letters Patent of King Edward the Sixth, King Henry the Eighth, and King Henry the Seventh, and the two Charters of King Edward the Fourth, she ratifies and confirms the same by Letters Patent, dated the eighteenth December, in the first year of her reign, (1553).

ADAMS.

For three pounds paid in the Hanaper.

The fine is taxed to three pounds.

STE: WINTON CANCEL.

Examined by us William Greenyfeld, and John Godsalue, Clerks.

CHARTER

OF

QUEEN MARY,

TO

THE TOWN OF LUDLOW.

April 12th, 1554.

Recital of the Charter of King Edward IV. as to Bailiffs and Town Court.—Doubt on the Death of the Bailiffs, and whether Actions, Pleas, and Plaints in the Court of the Town may be held before surviving Bailiff.—To choose a Bailiff in the place of William Fox, late one of the Bailiffs.

I. MARY, by the grace of God, of England, France, and Ireland Queen, Defender of the Faith. To all to whom these presents shall come greeting. Whereas our most noble progenitor Edward the Fourth, late King of England by his letters patent bearing date at Westminster, the seventh day of December, in the first year of his reign, for the better government of his town of Ludlow and for divers other good causes and considerations, amongst other things, hath granted to the burgesses

of the same town, that the same town from thenceforth should be a free borough for ever, incorporated in deed and name of bailiffs, burgesses, and commonalty; and that the burgesses of that town, their heirs and successors, from henceforth every year for ever, on the feast of the Apostles Simon and Jude, may chuse and do chuse of themselves two of the honest and most fit persons for bailiffs of the town aforesaid, who shall make before them oath to do, exercise and execute the offices of bailiffs there for one year then next ensuing. And whereas further our progenitor aforesaid, King Edward the Fourth, granted to the same burgesses by his letters patent aforesaid, that they, their heirs and successors should have a certain court in the town or borough aforesaid on Tuesday weekly, to be held before the bailiffs of the same town or borough for the time being; and that at that court they might hold by plaint, in the same court to be levied, all manner of pleas whatsoever, trespasses with force and arms or others in contempt of himself the late King or his heirs, contrary to the form of any statute whatsoever; and other tres-

passes and offences within the town aforesaid, suburbs and precincts of the same done or perpetrated, and of debts, accounts, covenants, deceits, detainings of charters, writs, muniments, and chattels, and of the taking and detaining of beasts and cattle and other bargains whatsoever of whosoever causes or things within the town or borough aforesaid, suburbs or precincts of the same happening, although the same debts, trespasses, accounts, covenants, deceits, detentions, or other bargains, do reach or exceed the sum or value of forty shillings, and to hear and determine all and singular those causes before the bailiffs aforesaid there for the time being, according to the law and custom of the kingdom of England, as by the said letters patent which we have lately inspected amongst other things fully appears. And for that it doth not by any words in the aforesaid letters patent manifestly express that the aforesaid late King, by the aforesaid letters patent, hath granted to the aforesaid burgesses that if from thenceforth for ever it should happen the aforesaid bailiffs, or either of them, after the election aforesaid

made, should happen to die before the feast of Simon and Jude next after that election, then the same burgesses, their heirs and successors, other or others of themselves for bailiff or bailiffs of the town aforesaid, in the place or places of such bailiff or bailiffs so happening to die, shall and may chuse; and for that William Fox, one of the bailiffs of the town aforesaid after the feast of Simon and Jude now last past died, by reason whereof it is now in doubt whether the burgesses shall and may chuse of themselves for one of the bailiffs of the aforesaid town, in the place of W. Fox, by virtue of the aforesaid letters patent of the said late King; and whether the actions, pleas, and complaints, in the court of the town aforesaid, which by the letters patent aforesaid of the late King aforesaid, ought to be held before the bailiffs of the town aforesaid, may be held before the other surviving bailiff of the same town: We, at the humble petition of the aforesaid burgesses to us made on that behalf, willing to make and provide a remedy, of our special grace and out of our certain knowledge and mere motion, we have granted, and

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by these our letters patent for us, our heirs and successors, as much as in us is, do grant that the burgesses of the town aforesaid, at any time before the feast of Simon and Jude now next ensuing, do chuse and may chuse of themselves one other of the honest and fit persons to be substituted for the other of the bailiffs of the town aforesaid in the place of the aforesaid William Fox, late one of the bailiffs there, who shall take before them the oath of the office of one of the bailiffs of the town aforesaid, until the aforesaid feast of Simon and Jude now next following, to exercise and use that office with other surviving bailiff until the same feast now next ensuing shall be used and executed.

Power to chuse Bailiffs if any die in the year.—Power to hold the Court.

II. AND further, of our abundant grace aforesaid, we will and do grant for us, our heirs and successors, that when and as often as hereafter it may happen the bailiffs of the town aforesaid, or either of them, before the end of that year in which to the office of bailiff of the town aforesaid they were elected, do die, that then and so

often the aforesaid burgesses, their heirs and successors for ever, of themselves one other or two others of the honest and fit persons for bailiff or bailiffs of the town aforesaid in the place of the bailiff or bailiffs so happening to die at any time, and whensoever and as often as there may be occasion shall and may chuse for ever: And that the same bailiff or bailiffs so new elected shall and may take the oath first before the burgesses the office well and faithfully to execute and use until the feast of Simon and Jude then next following. And that the court aforesaid, upon the Tuesday every week, is and shall and may be held before the bailiffs of the same town elected or to be elected by virtue of the aforesaid letters patent of the aforesaid late King, or of these our letters patent; and that the same bailiffs in that court may hold by complaints, in the same court to be levied, all manner of pleas aforesaid, in the aforesaid letters patent of the aforesaid late King Edward the Fourth specified, in such sort and in as ample manner and form as the bailiffs of the same town elected and sworn by virtue of the said letters patent of the said late King might or could

do, any question or doubt upon the aforesaid letters patent of the aforesaid late King, or upon any thing in the same contained or specified arising, or any other matter, cause, or thing whatsoever, or any way notwithstanding. We will also, and by these presents grant, that the aforesaid burgesses have and shall have these our letters patent, made under our great seal, and without fine or fee, great or small, to us in our hanaper in any manner rendered, paid or made. For that the express mention of the certainty of the premises, or any of them, or any other gifts or grants by us or any of our progenitors to the aforesaid burgesses before this time made, is not at all made in these presents, or any statute, act, ordinance, provision, or restriction to the contrary thereof before this time made, enacted, ordained, or provided, or any other matter, cause, or thing whatsoever in any wise notwithstanding. In testimony whereof we have caused these our letters to be made patent. Witness myself at Westminster, the twelfth day of April, in the first year of our reign.

ADAMS.

By the Queen herself &c.

CHARTER
OF
QUEEN ELIZABETH,
TO THE
TOWN OF LUDLOW,

October 23rd, 1596.

The Charter of Edward the Sixth recited for two Fairs:

I. ELIZABETH, by the grace of God, Queen of England, France, and Ireland, Defender of the Faith, &c. To all whom these present letters shall come greeting. Whereas Lord Edward the Sixth, late King of England our progenitor, by his letters patent under his great seal of England, made and bearing date at Westminster the twenty-sixth day of April in the sixth year of his reign, for the considerations in the same letters patent mentioned, gave and granted to the bailiffs, burgesses, and commonalty of the town or borough of Ludlow, in the county of Salop, and to their successors (amongst other things) that the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid

and their heirs and successors may have and hold in the town aforesaid two fairs in every year there, with a court of pye powder, and all things that unto fairs and courts of pye powder belong or appertain, or ought to belong or appertain, each of which fairs should endure and be had and held for three days yearly (to wit) one of the said fairs on the eve, the day, and the morrow of the feast of St. Lawrence the martyr, that is the ninth, the tenth, and the eleventh days of August, and the other on the eve, the day, and the morrow of the feast of St. Catharine the Virgin, that is, the twenty-fourth, twenty-fifth, and twenty-sixth days of November yearly to be holden and kept, with all profits, commodities, advantages, and emoluments of the aforesaid fair arising; but so that they nor either of them be not to the hurt of any of the neighboring fairs or markets.

Consideration for further Grants.—Fair in Whitsun-week.

II. WE, graciously affecting the improvement of the town or borough aforesaid, and therefore observing the relief and better support of them, for that our

council of our marches of Wales in those parts there chiefly reside, abide, and we also greatly wishing the public and common advantage of many of our subjects in the said town, and the inhabitants of the neighbouring parts, of our special grace and out of our certain knowledge and mere motion have granted and given license and by these presents for us our heirs and successors, do grant and give license, to the bailiffs, burgesses, and commonalty of the town or borough of Ludlow aforesaid and their successors, that the same bailiffs, burgesses, and commonalty and their successors from henceforth for ever have, hold, and keep, and to have, hold, and keep, they may and can within the town or borough of Ludlow aforesaid one other fair or market yearly and in every year to be held and kept for ever, and which certain yearly fair or market shall be held on Wednesday in Whitsun-week, and shall continue all that Wednesday with a court of pye powder, and all and all manner of tolls, tallages, customs, profits, commodities, and emoluments whatsoever to such sort of fairs or markets and courts of pye powder apper-

taining or belonging, so nevertheless that the said fair or market be not to the hurt of any neighboring fairs or markets; wherefore we will, and by these presents for us, our heirs and successors firmly enjoin and command that the said bailiffs, burgesses, and commonalty of the town or borough of Ludlow aforesaid, and their successors, from henceforth for ever, have, hold, enjoy, and keep, and shall and may have, hold, enjoy, and keep within the said town or borough of Ludlow aforesaid, the aforesaid fairs or markets in Ludlow aforesaid, every year on Wednesday in Whitsun-week yearly for ever, to be held with the aforesaid court of pye powder, and all and all manner of tolls, tallages, customs, rights, jurisdictions, usages, profits, commodities, and emoluments whatsoever, to such sort of fairs or markets and courts of pye powder belonging or appertaining or of right accustomed; and that without the molestation, disturbance, grievance, or contradiction of us, our heirs or successors, or of any officers of us, or of our heirs or successors whatsoever.

Recital of the ancient Form of Ruling.—Members of Parliament, Bailiffs, and other Officers.—Ordinances.—Business in general directed and executed by thirty-seven persons that are Burgesses and Inhabitants within the Town.—Low Bailiff to be chosen out of the Twenty-five Common Counsellors.

III. AND whereas of old, and for a long time past, it hath been used and now is used within the town or borough of Ludlow aforesaid, and the precincts and liberties of the same town or borough, that as well the burgesses elected within the town or borough aforesaid to any parliament as well as the bailiffs, sergeants at mace, and all the rest of the officers and ministers of, in, or for the said town or borough aforesaid made and elected, and also all and singular laws, statutes, and ordinances, whatsoever from time to time before this made, ordained, or constituted for the good rule and government of the burgesses, inhabitants, residents, officers, and ministers whosoever, within the town or borough aforesaid, and for the sustaining of the same town or borough. And also all other things, matters and business whatsoever at any time before this in the name or right of the corporation of the town or borough aforesaid

made or executed through all the time aforesaid, were made executed, devised, ordained, appointed, or directed, and at this present time are made, executed, devised, ordained, appointed, and directed by thirty-seven persons, burgesses and inhabitants within the town or borough aforesaid, being the most honest, fit, able, and discreet of the same town or borough; of which certain thirty-seven burgesses and inhabitants twelve of the most honest and discreet men are reputed and named through all the time abovesaid, have been reputed and named aldermen, or principal burgesses of the same town or borough; of which certain twelve aldermen or principal burgesses one yearly hath been elected to the office of head bailiff of the same town or borough: and of which certain thirty-seven burgesses and inhabitants, twenty-five being the residue of the same number, together with the aforesaid twelve principal burgesses are reputed and named, and through all the time aforesaid have been reputed and named the Common Council of the same town or borough; of which certain twenty-five the low bailiff of the town or borough

aforesaid yearly and from time to time is elected, named, and appointed, and through all the time aforesaid hath been, by which certain form or custom of governing and ruling the aforesaid bailiffs, burgesses, and commonalty with long use are expert; that the town or borough aforesaid and the burgesses, inhabitants, artificers, and residents within the same town or borough aforesaid, have been well, quietly, and peaceably governed; and also all other things, matters, and business in the same town or borough made, ordained and devised, honestly and laudably have been made, administered, and executed to the common benefit of the burgesses and inhabitants of the same town or borough.

The ancient Form and Manner of governing to be observed.

—Thirty-seven Burgesses and Inhabitants of Ludlow to be made the Common Council of the Town, twelve of whom to be Aldermen, and Twenty-five the residue of the Thirty-seven, to be Common Counsellors.—Low Bailiff to be chosen from the latter.

IV. KNOW YE, that we, willing that the aforesaid old and antient manner and form of governing in the town or borough aforesaid, be from henceforth for ever inviolably

in all respects duly observed, of our special grace, and from our certain knowledge and mere motion, we have granted and ordained that from henceforth there are and shall be within the town or borough aforesaid, from time to time, thirty-seven of the discreet and honest burgesses and inhabitants of that town or borough who shall be and be named the Common Council of the town or borough aforesaid, out of which thirty-seven burgesses and inhabitants twelve of the most honest and discreet shall be made and reputed Aldermen or principal burgesses of the town or borough aforesaid, and out of which certain twelve aldermen or principal burgesses and inhabitants one is to be yearly chosen for head bailiff of the same town or borough, and of which certain thirty-seven, twenty-five being the residue of the same number, together with the aforesaid twelve at once shall be and be called the Common Council of the town or borough aforesaid; and out of which certain twenty-five one is to be yearly chosen for low bailiff of the town or borough aforesaid.

Power to make By-Laws.—Power to seize and imprison Delinquents.—Twelve Inhabitants named to be Alder-

men.—Twenty-five Burgesses and Inhabitants of the Town first named to be Common Counsellors of the Town.

V. AND further we will, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that the aforesaid twelve and twenty-five, for the time being, or the major part of them, have and shall have full power and authority to frame, constitute, ordain, and make from time to time such reasonable statutes and ordinances whatsoever, which to them according to their sound discretions shall seem to be good, wholesome, useful, honest, and necessary for the good rule and government of the burgesses, artificers, and inhabitants of the town or borough aforesaid, for the time being, and for the declaring in whatsoever manner or order the bailiffs, burgesses, and commonalty, and the artificers, inhabitants, and residents of that town or borough in their offices, labours, and businesses, within the town or borough aforesaid, or the limits of the same for the time being, shall behave and carry them-

selves and be used, and otherwise for the further good and common benefit and rule of that town or borough, and sustaining of the same borough; and also for the better preserving, managing, disposing, letting, and demising of the lands, tenements possessions, revenues, and hereditaments of the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid, and their successors, given, granted or assigned, or hereafter to be given, granted or assigned, and other things and causes whatsoever, the town or borough aforesaid, or the established right or interest of the same town or borough shall touch or in any manner concern; and that the aforesaid twelve and twenty-five, being the common council of the town or borough aforesaid, and their successors, or the major part of them, as often as such laws, statutes, and ordinances framed, ordained, made, or established in form aforesaid, reasonable pains, penalties, punishments by imprisonment, or fines and amerciaments, or by both of them against and upon all delinquents, against such laws, statutes, and ordinances, or any or either of them may

impose and lay according to the laws and statutes of our kingdom of England, and the same fines and amerciaments shall and may levy and have according to the laws and statutes of this kingdom of England, without any hindrance of us, our heirs and successors, and all and singular the laws, statutes, and ordinances so as aforesaid made, we will to be observed under the penalties in the same contained; and nevertheless that such laws, statutes, and ordinances are not repugnant or contrary to the laws, statutes, customs, or rights of our kingdom of England. And for the better execution of these our desires and grants in this behalf we have assigned, named, constituted and made, and by these presents for us, our heirs and successors do assign, name, constitute, and make our beloved Thomas Langford, Richard Bascoll, Richard Bark, Thomas Bandland, Edward Crowther, John Walker, Richard Blashfield, Robert Berry, Thomas Evans, William Wagam, John Crowther, and William Beck, inhabitants of the town or borough aforesaid, to be the first and now twelve aldermen or principal counsellors of the town or borough

aforesaid: Willing that the same Thomas Langford, &c. shall be and continue in the office and places of aldermen of the borough aforesaid, during their natural lives, unless in the mean time, for any reasonable cause from the offices or places aforesaid they shall be removed, or any of them are removed. We have also assigned, named, and constituted, and by these presents for us, our heirs and successors, do assign, nominate, constitute, and make our beloved William Cliberie, John Taylor, Henry Cliberie, John Blashfield, Thomas Bowen, Robert Sanders, John Devaiver, Edward Powys, Thomas Probert, Richard Benson, Charles Wigley, Edmund Lloyd, Francis Jenks, William Walle, Thomas Shrawley, Philip Bradford, Richard Langford, Richd. Grove, Sanders Williams, William Coke, Richard Thomas, Richard Nytyngale, Thomas Powle, Richard Syre, and William Hughes, burgesses and inhabitants of the town or borough aforesaid, to be the first and now twenty-five of the common counsellors of the town or borough aforesaid, which certain twenty-five, together with the aforesaid twelve aldermen shall be and

be called the common council of the town or borough aforesaid.

Aldermen and Common Counsellors to be of the Corporation for Life, unless there shall be reasonable Cause for removing them.

VI. WILLING that the same twelve aldermen be the principal and more worthy of the same council, and that the same William Cliberie &c. shall be and continue in their places and offices aforesaid during their natural lives, unless in the mean time for any reasonable cause from the offices or places aforesaid they or any of them shall be removed.

Power to chuse Aldermen and Common Counsellors in case of Death or Removal.—New Members to take an Oath before the Bailiffs.

VII. AND further we will, and by these presents for us, our heirs and successors grant that whensoever it shall happen the aforesaid twelve aldermen or principal counsellors, or any of them so as aforesaid named, or the aforesaid twenty-five common counsellors, or any of them so as aforesaid named, shall die, or from their offices aforesaid for bad behaviour on their part be removed, that then and so often as

it shall and may be lawful for the residue of the aforesaid twelve and twenty-five being the common council of the town or borough aforesaid, or the major part of them, or other or more others of the number of the twenty-five burgesses and inhabitants of the town or borough aforesaid for the time being, in the place or places of any person or persons of the number of the twenty-five aforesaid, so happening to die or to be removed, to elect, name, and make; and also the same person or persons so elected and made again for reasonable causes, from his and their place and office aforesaid to remove, and that he and they elected and made of the number of the twelve aforesaid, or of the number of twenty-five aforesaid, shall be of the same number of twelve and twenty-five in like manner and form as the aforesaid other persons by us in these presents before are and shall be constituted; and this as often as the case thus happens that by death or removal of any of the same twelve aldermen, or by the death or removal of any of the same twenty-five, any place of the same twelve or any of the same twenty

five shall be vacant, another or others of the burgesses and inhabitants of the town or borough aforesaid in the place of the same twelve or twenty-five so happening to die or be removed by the residue of the seme number of twelve or twenty-five, or by the major part of them in number of the aforesaid twelve aldermen or of the aforesaid twenty-five to be elected and made: and that the aforesaid aldermen and the aforesaid twenty-five so from time to time elected and made shall take a corporal oath before the bailiffs of the town or borough aforesaid for the time being, well and faithfully to execute that office.

Power of the Aldermen and Common Counsellors to hold Meetings within the town for consulting on Business.

VIII. AND further we will, and by these presents ordain, and of our abundant and special grace and of our certain knowledge and mere motion for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that it shall be lawful for them and the successors of them, as often as to them shall seem to be proper and necessary, in some

place convenient within the town or borough aforesaid, to call and hold a meeting of the aforesaid twelve aldermen or principal counsellors, and of the aforesaid twenty-five common counsellors of the town or borough aforesaid, or of the major part of them, and they shall and may be able for ever hereafter in such meetings to treat, confer, advise and determine of statutes, acts, and ordinances for the town or borough aforesaid and touching and concerning the good rule, state and government of the same, according to the tenour of these our letters patent.

Head Bailiff to be chosen out of the Aldermen, and to be sworn before the Aldermen and Common Counsellors.

IX. AND further we will and by these presents for us, our heirs and successors, grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that the aforesaid twelve aldermen or principal counsellors of the town or borough aforesaid, together with the aforesaid twenty-five common counsellors of the same town or borough for the time being, or the major part of them, from time to time for ever

hereafter, have and shall have power and authority yearly and every year upon the feast day of Simon and Jude, to chuse and name one of the twelve aldermen of the town or borough aforesaid for the time being, who shall be head bailiff of the same town or borough for one whole year then next following, and that he, after being thus as aforesaid elected and named the head bailiff of the town or borough aforesaid, before he is admitted to that office shall take a corporal oath on the same feast day of Simon and Jude, immediately after the nomination and election aforesaid, before the head bailiff being his last predecessor, in the presence of the twelve aldermen or principal counsellors and the twenty-five common counsellors of the town or borough aforesaid for the time being, to execute that office uprightly, well, and faithfully in all to that office belonging, and that after taking in such manner the oath, he shall and may be able to execute the office of head bailiff of the town or borough for one whole year then next following.

Head Bailiff dying within one year after he commences the office, to be replaced with one of the Aldermen to act for the remainder of the year.

X. AND moreover we will, and by these presents for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that if it should happen the head bailiff of the town or borough aforesaid for the time being, at any time within one year after he shall be so as aforesaid made and sworn to the office of head bailiff of the town or borough aforesaid, to die, or from his office to be removed, that then and so often it shall and may be lawful for the aforesaid twelve aldermen and principal counsellors, and the aforesaid twenty-five common counsellors of the town or borough aforesaid for the time being, or the major part of them, one other of the aforesaid number of twelve aldermen or principal counsellors to chuse and make for head bailiff of the town or borough aforesaid, and that he, so elected and made, that office shall use and exercise during the residue of the same year, and until another is rightfully and lawfully

elected to the office of head bailiff of the same town or borough, first having taken the corporal oath in form aforesaid, and so from time to time as often as the case shall thus happen.

The twelve Aldermen and twenty-five common counsellors of the town to chuse and nominate one of the twenty-five to be Low Bailiff of the Town for one year.

XI. AND further we will, and by these presents for us, our heirs and successors grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors that the aforesaid twelve aldermen or principal counsellors of the town or borough aforesaid, together with the aforesaid twenty-five common counsellors of the same town or borough for the time being, or the major part of them, have and shall have from time to time for ever hereafter, power and authority yearly and every year on the feast day of Simon and Jude, of chusing and nominating, and that they shall and may be able to chuse and nominate one of the aforesaid twenty-five of the town or borough aforesaid for the time being, who shall be and be named the low bailiff of

the same town or borough for one whole year then next following; and that he, after he shall have been so as aforesaid chosen and named for low bailiff of the town or borough aforesaid, before he is admitted to that office, shall take the corporal oath on the same feast day of Simon and Jude immediately after the nomination and election aforesaid, before the head bailiff and low bailiff, being his next predecessors, in the presence of the twelve aldermen and twenty-five common counsellors of the town or borough aforesaid for the time being, to execute that office uprightly, well, and faithfully, in all to that office belonging; and that after he hath thus in manner aforesaid taken the oath, he shall and may execute the office of low bailiff of that town or borough for one whole year then next following.

Low Bailiff dying within the year of his office, to be replaced from the common counsellors.

XII. AND moreover we will, and by these presents for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the town or borough aforesaid and their successors, that

if it should happen the low bailiff of the town or borough aforesaid for the time being, at any time within one year after he hath been so as aforesaid made and sworn to the office of low bailiff of the town or borough aforesaid, to die, or from his office to be removed, that then and so often it shall and may be lawful for the aforesaid twelve aldermen or principal counsellors and the aforesaid twenty-five common counsellors of the town or borough aforesaid for the time being, or the major part of them, one other of the aforesaid number of twenty-five common counsellors to chuse and make for low bailiff of the town or borough aforesaid, and that he so elected and made, the office of low bailiff of the town or borough aforesaid shall use and exercise during the residue of the same year, and until another is rightfully and lawfully elected to the office of low bailiff of the town or borough aforesaid, having first taken the corporal oath in form aforesaid, and so from time to time as often as the case shall thus happen.

Sergeants at Mace and other Officers to be chosen and sworn on the 28th of October.

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XIII. AND also we will, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that the said twelve aldermen or principal counsellors of the town or borough aforesaid, and their successors for the time being, together with the aforesaid twenty-five common counsellors of the town or borough aforesaid and their successors, or the major part of them, shall be able to chuse, nominate, and appoint from time to time for ever, yearly and every year, on the feast day of Simon and Jude, such and so may sergeants at mace and other officers and inferior ministers within the town or borough aforesaid, such and so many of the twelve aldermen or principal counsellors and the aforesaid twenty-five common counsellors of the same town or borough before this time have had, chosen or appointed, or were used to chuse or appoint within the same borough, and those then elected or made, or any of them, from those offices for reasonable causes again to remove. And that the same officers or ministers then to

their offices severally chosen, made and named in due form, shall be sworn to execute their offices uprightly, well, and faithfully in all to those offices belonging, before the twelve aldermen or principal counsellors and the aforesaid twenty-five common counsellors of the town or borough aforesaid for the time being, or the major part of them; and that those so elected and made, shall have and exercise their several offices for one whole year.

Power to seize and imprison any persons refusing to take the Offices.

XIV. AND moreover we will, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burghesses, and commonalty of the town or borough aforesaid and their successors, that if any who is or shall be hereafter elected or named to the office of head bailiff, or low bailiff, of the twelve aldermen or principal counsellors, of the twenty-five common counsellors, or of any other officers or inferior ministers of the borough aforesaid, or to any or either of them, and having or having had notice or knowledge of such

election and nomination, he or they shall refuse or deny that office to which he or they so refusing or denying have or hath been elected or named; that then and so often, it shall and may be lawful for the twelve aldermen or principal counsellors and the twenty-five common counsellors of the same town or borough, or the major part them, to commit him or them so refusing or denying to exercise that office or those offices to which he or they shall have been elected or named, to the gaol of the town or borough aforesaid, there to remain until he or they shall be willing to exercise that office or offices: and also reasonable fines and amerciaments, upon such persons refusing, to lay and impose as to the same twelve aldermen and the aforesaid twenty five being the common council of the town or borough aforesaid for the time being, or the major part of them, shall appear to be reasonable, and him or them so refusing or denying, in the gaol of the town or borough aforesaid, to detain until those fines or amerciaments are or shall be paid to the use of the town or borough aforesaid.

Power to let Lands.—Rent of £.37 13s. 4d. reserved.

XV. WE will also, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and to their successors, that the aforesaid twelve aldermen and the aforesaid twenty-five, being the common council of the town or borough aforesaid for the time being, or the major part of them, from time to time have and shall have authority and power to grant, let, and demise all and singular the lands, tenements, and hereditaments whatsoever to the same town or borough appertaining or belonging, to the use and benefit of the same town or borough, to any person or persons in the same manner and form as the same twelve aldermen and the aforesaid twenty-five before this time have been used to grant, let, and demise the same lands, tenements, and hereditaments to the use and benefit of the same town or borough, saving nevertheless always and to us, our heirs and successors for ever, reserving the ancient rent of thirty-seven pounds thirteen shillings and fourpence of lawful money of England, to

us, our heirs and successors due and payable of and for the lands, tenements, and hereditaments to the same town or borough belonging or appertaining, and also all other rents, and services whatsoever to us, our heirs and successors of or for the farm of the town or borough aforesaid, or any lands or tenements to the same town or borough appertaining, the same rents and services to be yielded and paid at the feasts and days heretofore due, accustomed and used for payment of them.

This grant under the Great Seal without Fine or Fee.

XVI. WE will, also, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that they have and shall have these our letters patent under our great seal of England, in due form made and sealed, and without fine or fee great or small, to us in our hanaper or elsewhere to our use therefore in any manner so yielded, paid, or made.

The two Bailiffs to be, one of the twelve Aldermen and the other of the twenty-five Common Counsellors.—

The Head Bailiff and Low Bailiff together with the residue of the twelve and twenty-five to be the Common Council of the Town.

XVII. AND we will, and by these presents for us, our heirs and successors ordain that the head bailiff of the town or borough aforesaid from henceforth for ever shall be and shall be reputed one of the number of the aforesaid twelve aldermen of the same town or borough. And that the low bailiff of the said town or borough aforesaid from henceforth for ever shall be and shall be reputed one of the number of the aforesaid twenty-five common counsellors of the same town or borough; and that the aforesaid head bailiff and low bailiff, together with the residue of the same twelve and twenty-five shall compose and fully make up the aforesaid number of the aforesaid thirty-seven, being the common council of the town or borough aforesaid; and that the same bailiffs, together with the residue of the twelve aldermen and twenty-five shall be called and shall be reputed the common council of the same town or borough to make, execute, and fully complete all and singular which in these our letters patent

by the said twelve and twenty-five so as aforesaid are in any manner to be made and executed. For that express mention of the true yearly value, or of the particulars of the premises, or any of them, or of other gifts or grants by us or any of our progenitors to the aforesaid bailiffs, burgesses and commonalty of the town or borough aforesaid before this time made in these presents in the least mentioned, or any statute, act, ordinance, provisoe, or restriction to the contrary thereof before this time had, made, enacted, ordained, or provided, or other matter, cause or thing whatsoever in any wise notwithstanding. In testimony whereof we have made these our letters patent. Witness myself at Westminster the twenty-third day of October in the thirty-eighth year of our reign.

By Writ of Privy Seal

BROUGHTON.

Examined by WILLIAM BREND.

CHARTER

OF

KING JAMES

TO

THE TOWN OF LUDLOW,

July 2nd, 1604.

Recital that Ludlow is an ancient Town.—That it was destroyed by the Lancastrians.—That Edward the Fourth incorporated the Town.—Charter of Edward the Fourth shortly recited.—Recital that the Town hath encreased in Wealth and Population.—Corporation welcome King James to the Throne.

I. JAMES, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith &c. To all to whom these present letters shall come greeting. Whereas our town of Ludlow in the county of Salop, is an ancient town, inclosed and defended with a ditch and wall, and embellished with our famous Castle of Ludlow, now and for some ages past the seat of the Prince of Wales. And whereas, also, the said town was entirely demolished and ruined in the times of the civil war between the two most famous York and Lancaster

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Families of this kingdom, by the Lancastrian Family and its friends, as sufficiently appears and is manifest by divers records and other proofs worthy of credit. And also whereas, the most victorious King Edward the Fourth, late King of England, the ornament and glory of the York family, our progenitor, when he possessed this kingdom, he himself ingenuously acknowledged the benevolence, assistance, and diligence of the burgesses of the said town, shewn to himself in obtaining the same kingdom, which he got by a most bloody war, in which many of those burgesses and the then inhabitants of the said town were slain and perished. And the same King Edward the Fourth, by his letters patent bearing date at Westminster the seventh day of December, in the first year of his reign, of his special grace, certain knowledge, and mere motion of him hath granted to his burgesses of the same town of Ludlow, that the same should be then and from thence a free borough for ever, incorporated in fact and name of Bailiffs, Burgesses, and Commonalty of the town aforesaid; and that the bailiffs, burgesses,

and commonalty of the town aforesaid should be a body corporate, and persons able and capable to acquire to themselves and their successors in fee and for ever lands, tenements, rents, services, and other possessions whatsoever, and should have a perpetual succession and a common seal, and by the same his letters patent of his more ample grace, special certain knowledge and mere motion, of his munificence, he hath given and granted for himself, his heirs and successors to the aforesaid bailiffs, burgesses, and commonalty of the town aforesaid, very many and divers sorts of liberties, franchises, immunities, pre-eminences, lordships, manors, lands, tenements, rents, revenues, services, and hereditaments that in the said letters patent are specified and declared to be had of him and his successors in fee and inheritance, in manner and form as in the same letters patent fully appears and is manifest: and also whereas from that time hitherto, the town aforesaid theretofore entirely ruined and depopulated, hath in a wonderful manner increased and flourished as well in wealth as people, and at this time flourishes; and also where-

as the bailiffs, burgesses and commonalty of the town aforesaid, after the death of our dear sister and predecessor, Lady Elizabeth, late Queen of England, not only without any hesitation, but with great joy and applause, publicly proclaimed us in the very beginning of our auspicious reign in this realm of our kingdom of England and kingdom of France and Ireland, according to our undoubted just right of succession and descent.

*Liberties, Franchises, Privileges, Immunities, &c. of the
Town confirmed.*

II. WE, graciously favouring the aforesaid bailiffs, burgesses, and commonalty and the commonwealth of the town aforesaid, and intending the improvement of the said town, of our special certain knowledge and mere motion of us, we do ratify approve, and confirm to the aforesaid bailiffs, burgesses, and commonalty of our town of Ludlow, the liberties, franchises, privileges, exemptions, acquittances, immunities, and also all and singular the same and such manors, townships, lands, tenements, annuities, fees, wastes, allow-

ances, stipends, courts, views of frankpledge, leets, and the law days and perquisites of courts leet, and views of frankpledge, matters of hereditaments whatsoever, which the burgesses of the town of Ludlow aforesaid, and which the bailiffs burgesses, and commonalty of the same town, and which the bailiffs and burgesses of the said town of Ludlow, and which the twelve and twenty-five burgesses of the said town, and which twelve burgesses of the same town, and which the twenty-five burgesses of the same town, and which the bailiff and bailiffs of the same town, and which any or either of them at any time heretofore have had, held, or enjoyed, or might have had, held, or enjoyed, by whatsoever name or names, or by whatsoever incorporation or pretext, or by virtue of whatsoever incorporation before now have had, held, used, or enjoyed, or ought to have had, held, or enjoyed by reason, colour, or pretext of whatsoever letters patent or charters of the said late King Edward the Fourth, or late King Henry the Seventh, or late King Henry the Eighth, or late King Edward the Sixth, or the said

late Queen Elizabeth, or of any whosoever of our progenitors or predecessors, Kings of England, or of the most excellent Richard Duke of York, father of the aforesaid late King Edward the Fourth, formerly Lord of the said town, or of any or either of them in any manner heretofore had, made, granted, or confirmed, or by whatsoever other legal manner, title, right, use, or prescription before now had, made or used, although the same, or any or either of them before this have not been used, or have been abused or misused, or discontinued, or although the same or any or either of them are or have been forfeited or lost, To have, hold, and enjoy to the aforesaid bailiffs, burgesses, and commonalty of the town of Ludlow, and to their successors for ever, to be held of us, our heirs and successors, by such the same sort and the like rents, services, and tenures as the same have been heretofore held of us.

Charter of Edward the Fourth recited.—Grant for taking Recognizance between Merchant and Merchant according to the Statute of Acton Burnell.—Doubts on the said Statute.

III. AND also whereas the said Lord

Edward, late King of England the Fourth, by his said letters patent hath granted for himself and his heirs, to the aforesaid burgesses and their successors, that the bailiffs of the said town for the time being shall have full power and authority to take whatsoever recognizances between merchant and merchant and execution thereupon to be done according to the form of the statutes of merchants and the statute of Acton Burnell, upon which certain grant divers doubts and questions have been raised whether such recognizances by virtue and pretext of the same acknowledgements made or taken before the bailiffs of the said town for the time being are good, valid, and effectual in law, not only for that no clerk of the said late King Edward the Fourth and his heirs and successors the King of England is appointed or licensed according to the form of the said statute of Acton Burnell, for taking such recognizances, together with the aforesaid bailiffs, and for the doing that which by the same statute in that behalf is required and ought to be done, but also because other doubts and questions long since in that behalf had and moved.

*Grant to remove Doubts about Statute of Acton Burnell.—
The Town Clerk to be Clerk for taking Recognizances.
—A Seal of Recognizance.*

IV. WE, willing entirely to remove and take away such doubts, ambiguities, and questions, of our special grace, certain knowledge, and mere motion, of us, we have granted and by these presents do grant for us, our heirs and successors to the aforesaid bailiffs, burgesses, and commonalty of our town of Ludlow, that the bailiffs of our said town of Ludlow for the time being, (together with the clerk of us our heirs and successors of the same town, to take recognizances of debts by us, our heirs, and successors to be deputed) for ever shall have full power and authority for taking recognizances by virtue of the statute of Acton Burnell, between merchant and merchant, merchants and merchants, and between whatsoever person and persons and whatsoever other persons and persons and persons or person, or of either or any of them, to whatsoever debts or whatsoever sums and executions thereupon, to make according to the form and effect of the said statute of Acton Burnell, and other statutes

in that behalf made and provided; and also to make, do and execute all other things whatsoever touching or concerning the premises which by force of the said statute of Acton Burnell and statutes of merchants and other statutes in that behalf made and provided, or of any or either of them appertaining to be made, done, or executed. And that the common clerk of our town of Ludlow aforesaid, commonly called the "Town Clerk" for the time being, is and shall be clerk of us, our heirs and successors of the said town of Ludlow, to take such recognizances of debts according to the form of the statute aforesaid. And that the same common clerk hath and shall have full power and authority for ever to make, do and execute all and singular things which to the office of clerk of recognizances according to the form of the statutes aforesaid he is deputed by force of those statutes or any of them in any manner belonging to be made and executed. And we, by these presents, for us, our heirs and successors ordain, nominate, constitute, create, advance, and appoint the aforesaid common clerk of the town of Ludlow, now

commonly called the "Town Clerk" for the time being, for ever hereafter to be the clerk of the recognizances aforesaid of us, our heirs and successors within the town of Ludlow aforesaid, and suburbs of the same, according to the form of the statutes aforesaid. And that the bailiffs of the town aforesaid for the time being, have from henceforth for ever a Seal for sealing the recognizances aforesaid according to the form of the statute aforesaid; and the same bailiffs and common clerk of the town aforesaid for the time being, shall have for ever hereafter, the keeping of the said seal. And that the said bailiffs and common clerk of the said town for the time being shall have from henceforth for ever so much and so great and entire and absolute authority, faculty, and power from henceforth for ever for the taking and recording of such recognizances, and all other things, according to the exigence of the said statute to be done, made, and executed by all and in all with the fees and rewards therefore belonging and appertaining as any other mayor, bailiff, bailiffs, and such clerk in any city or town whatsoever hath

or ought to have. And the said bailiffs and clerk of the said town of Ludlow for the time being to the making, doing and executing all the matters aforesaid, we do make, create, constitute, assign and ordain by these presents.

Recital of Queen Elizabeth's Charter.—Consideration for a Fair in Whitsun-Week.

V. AND also whereas the Lady Elizabeth late Queen of England, by her letters patent bearing date at Westminster the twenty-third day of October, in the thirty eighth year of her reign, graciously affecting the improvement of the town or borough aforesaid, and desiring greatly the relieving and better sustaining of them, for that her council of the Marches of Wales is there mostly remaining resident and comorant. And also the public common convenience of many subjects in the town aforesaid and neighbouring parts, of her special grace and from her certain knowledge and mere motion of her, she hath granted and given license for herself, her heirs and successors to the aforesaid bailiffs burgesses, and commonalty of the town or borough of Ludlow aforesaid and their

successors, that the same bailiffs, burgesses, and commonalty and their successors, then and thenceforth should have, hold, and keep and should and might be able to have, hold, and keep within the town or borough aforesaid one Fair or Market yearly in every year to be held and kept, which certain fair or market yearly should begin on Wednesday in the Whitsun-week, and endure throughout all that day, together with a court of pye powder, and all and all maner of tolls, tallages, customs, profits, commodities, and emoluments to such sort of fairs and markets and courts of pye powder belonging or appertaining: so nevertheless that the said fair or market be not to the hurt of any other neighbouring fair or market. Wherefore the said late Lady Queen Elizabeth by her same letters and patent for herself, her heirs and successors, commands and directs that the said bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, then and from thenceforth for ever should have and hold, and should and might be able to have, hold, enjoy, and keep within the town or borough aforesaid the fair or

market in Ludlow aforesaid every year on the Wednesday in the Whitsun-week yearly for ever, together with a court of pye powder, and all and all manner of tolls, tallages, customs, rights, jurisdictions, usages, profits, commodities, and emoluments whatsoever to such sort of fairs, markets, and courts of pye powder appertaining, belonging, appending, or of right used; and that without molestation, disturbance, hurt, or contradiction of the said late Queen, her heirs and successors, or of any ministers or officers of the said late Queen, her heirs or successors whosoever.

Grant that a Fair shall be held on Wednesday, Thursday, and Friday in Whitsun-week.

VI. WE, truly moved and induced by the same considerations by which the said late Queen was moved, and more affecting and desiring to do a favour to the same bailiffs, burgesses, and commonalty and their successors, of our more ample grace, special certain knowledge, and mere motion of us, we do give and grant for us, our heirs and successors to the aforesaid bailiffs, burgesses, and commonalty of the town or borough

aforesaid, that the aforesaid fair or market so as aforesaid granted by the said late Queen to be held on the said Wednesday yearly, in the said Whitsun-week, from henceforth for ever, begins and shall begin on the said Wednesday, in the same Whitsun-week, and endure and continue for three days (to wit) all the same Wednesday and all the Thursday and all the Friday then next following in the same week. And that the same bailiffs, burgesses, and commonalty and their successors may have and hold the court of pye powder to such sort of fairs and markets belonging and appertaining for ever. And that they may have and hold to themselves and their successors all tolls, tallages, customs, profits, commodities, perquisites and emoluments whatsoever to the same fair or market as to the said court of pye powder in any manner belonging or appertaining, or from thence coming, growing, arising, or happening, without the molestation, disturbance, or hindrance of us, our heirs or successors, or of any officers or ministers of us, our heirs or successors, without account or other thing whatsoever therefore to us, our heirs

or successors to be paid, yielded or made.

*Grant for a Fair to be held the 16th, 17th, and 18th
Days of September in every year.*

VII. AND further, of our abundant grace, special certain knowledge and mere motion, we do give and grant for us, our heirs and successors to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that the same bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors from henceforth for ever may have, hold and keep one other Fair or Market yearly and every year from henceforth, within the town or borough aforesaid, to be kept and held, and endure for three days, (to wit) the sixteenth, seventeenth, and eighteenth days of September annually, together with a court of pye powder to such sort of fairs or markets belonging or appertaining, with all and singular tallages, cutoms, tolls, profits, commodities and emoluments whatsoever so to the same fair or market as to the said court of pye powder in any manner belonging or appertaining, or from thence coming, growing,

arising, or happening. Wherefore we will, and by these presents, for us, our heirs and successors, command that the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid from henceforth for ever may have, hold, and enjoy, and they shall and may be able to have, hold, and enjoy the aforesaid fair or market, court of pye powder, and all tallages, tolls, customs, profits, commodities, perquisites, and emoluments to the aforesaid market, fair and court of pye powder belonging, or any of them, without the molestation, disturbance, hurt, or contradiction of us, our heirs or successors, or the ministers or officers of us, our heirs or successors, for ever: so nevertheless that the aforesaid fair or market is not to the hurt of any other neighbouring fair or market near adjoining.

Corporation and Burgesses to enjoy Liberties without let or hindrance.

VIII. AND further, we will, and for us, our heirs and successors, firmly command to be enjoined that the aforesaid bailiffs, burgesses, and commonalty may have, hold, use, and enjoy for ever, all liberties, authorities, jurisdictions, and acquittances

aforesaid, according to the tenor and effect of these our letters patent, without the let or hindrance of us, our heirs or successors, or of the justices, sheriffs, or other bailiffs or ministers of us, our heirs or successors whatsoever, willing that the same bailiffs, burgesses and commonalty of the town aforesaid, or any or either of them, nor any other burgess or burgesses of the town aforesaid from thence is let, molested, vexed, or hurt, or in any wise disturbed; willing, and by these presents ordering and commanding as well our treasurer, chancellor, and barons of our exchequer at Westminster, and the other justices of us, our heirs and successors, as also our attorney and solicitor general for the time being, and all and every of them and their other officers and ministers of us whomsoever, that neither they nor any nor either of them, any writ or summons of *quo warranto*, or any other writs, writ, or process whatsoever against the aforesaid bailiffs, burgesses, and commonalty of the town aforesaid, or any or either of them, for any cause, thing, matter, offence private or public, or any of them, by them or any of

them claimed, attempted, used, had, or usurped before the day of the making of these presents, may be prosecuted or continued, or shall make, or cause to be prosecuted or continued; willing, also, that the same bailiffs, burgesses and commonalty, or any or either of them, are in the least troubled or hindered by any or either of the justices, officers, or ministers aforesaid upon or for dues, uses, claims, or abuses of any liberties, franchises, or jurisdictions within the town aforesaid, the suburbs, liberties or precincts of the same, before the day of the making hereof, or may be compelled to answer to them or any of them.

Letters Patent to be made without Fine or Fee.

IX. WE will also, and by these presents, do grant to the aforesaid bailiffs, burgesses and commonalty of the town aforesaid, that they have and shall have these our letters patent under our great seal of England, in due form made and sealed, without fine or fee great or small to us in our hanaper or elsewhere to our use therefore in any manner to be yielded, paid or made.

X. For that express mention of the true annual value, or of any other value, or of the certainty of the premises or any of them; or any other gifts or grants by us or any of our progenitors or ancestors to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid, or their predecessors, before this time made in these presents is not mentioned, or any statute, act ordinance, provision, proclamation or restriction to the contrary heretofore had, made, enacted, ordained, or provided; or any other matter, cause, or thing whatsoever in any wise notwithstanding. In testimony whereof we have made these our letters patent. Witness myself at Westminster, the eleventh day of July, in the second year of our reign, of England France, and Ireland, and of Scotland, the thirty-seventh.

LUKIN.

By Writ of Privy Seal &c.

Examined, W. BREND.

CHARTER
OF
KING CHARLES I.
TO
THE TOWN OF LUDLOW.

July 31st, 1627.

Recital that the Town enjoyed divers Liberties, Franchises, and Immunities under former Charters, and that Defects and Ambiguities may happen to arise through some things in former Letters Patent not being plainly expressed.— Supplication for an extension and confirmation of former Liberties.

I. CHARLES by the grace of God King of England, Scotland, France, and Ireland, Defender of the Faith &c. To all to whom these present letters shall come greeting. Whereas our town or borough of Ludlow in the county of Salop, is a town ancient and populous, and the bailiffs, burgesses, and commonalty of the same town or borough, and the ancestors and predecessors of them have had, used, and enjoyed divers liberties, franchises, immunities, and pre-eminences by the charter of Lord Edward the Fourth, late King of England, as by the charters

of divers others of our progenitors and predecessors, late Kings and Queens of England, to them before this time made, granted, or confirmed; as also by reason of divers prescriptions, usages and customs in the same borough or town used from the time whereof the memory of man is not to the contrary. And whereas, certain defects and ambiguities may happen to arise by reason that some things in the aforesaid letters patent contained were not plainly expressed, nor with fit and proper words granted for the good rule, guidance and profit of the town or borough aforesaid. And whereas our well-beloved subjects the bailiffs, burgesses, and commonalty of the aforesaid town or borough of Ludlow, have most humbly besought us to exhibit and extend, as far as we can, to the same bailiffs burgesses, and commonalty of the town or borough aforesaid, our royal grace and munificence to the uttermost, with a confirmation of their former liberties, and with an addition and supply of certain other liberties, privileges, immunities and franchises as to us shall seem best to be done.

Consideration for further Grants.

II. WE, therefore, willing that from henceforth for ever, in the town or borough aforesaid, may be had to continue one certain and indubitable manner of and for keeping our peace, and for the good rule and guidance of our people there; and that the borough aforesaid from henceforth for ever be and remain a borough of peace and quiet to the dread and terror of the bad, and encouragement of the good; and that our peace and other acts of justice may be there performed without delay; and hoping that if the bailiffs, burgesses, and commonalty of the borough aforesaid, by our grant might more fully enjoy liberties and privileges, then they would perceive themselves more straightly and strongly obliged to do and perform such services which they are able to us, our heirs and successors.

Grant that Ludlow be a Free Borough.

III. OF our special grace, and out of our certain knowledge and mere motion, we have willed, ordained, constituted, declared and granted, and by these presents for us, our heirs and successors, do will,

ordain, constitute, declare and grant that the said town or borough of Ludlow, in the county of Salop aforesaid, from henceforth for ever shall be a free borough of itself.

Recital of the extent of the Liberties and Bounds of the Town as granted by King Edward the Fourth.

IV. And whereas the aforesaid Edward the Fourth, late King of England, by his letters patent bearing date at Westminster the seventh day of December, in the first year of his reign, hath willed and granted (as much as he himself had) to the burgesses of the town or borough of Ludlow aforesaid and to their successors, that the liberties of the town or borough aforesaid should extend themselves out of the same town or borough by the limits, metes, and bounds after written, (to wit) on the east side of the town or borough aforesaid as far as the village of Rock, and from thence as far as the village of Further Halton on the west side of the same town or borough, and from the same town of Further Halton as far as the village of Overton on the south side of the aforesaid town or borough of Ludlow; and from the same village of

Overton, as far as the village of Stanton-Lacy on the north side of the same town or borough, and from thence to the aforesaid village of the Rock, as by the same letters patent (amongst other things) is more fully manifest and apparent.

All Houses, Lands, Wastes, &c. lying within the Town, Parish, or Borough of Ludlow, to be within the Liberties.

V. Know ye that we, for the considerations aforesaid, of our abundant special grace, and of our certain knowledge and mere motion, we have willed, ordained, granted and constituted, and by these presents for us, our heirs and successors (as much as in us is) do will, ordain, grant and constitute that all and singular houses, edifices, lands, waters, watercourses, soil and ground situate, lying and being within the aforesaid town, parish or borough of Ludlow, and within the circuit, bounds and limits of them in whatsoever county or counties they are situate, lying or being, from henceforth for ever are and shall be, and shall be reputed and taken to be the liberties and precincts, and with the liberties or precincts of the aforesaid borough of Ludlow, to all

intents and purposes and in as ample manner and form as if they were in these presents particularly mentioned and expressed as to all things and in every matter, saving those things which are to the prejudice of any other person or persons having or of right claiming liberties or priorities within the places and limits aforesaid. And that all and singular the inhabitants and residents within the limits, places, and precincts aforesaid from henceforth and for ever, are and shall be within the liberties and jurisdiction of the borough of Ludlow aforesaid, and under the rule and guidance of the officers and ministers of the same.

Recital of the Grant of King Edward IV. that Bailiffs and Recorder should be Justices and enquire of all Felonies, Misprisons, &c. in the Town, in the same manner as is done by County Justices. — County Justices not to interfere with matters belonging to the Town.

VI. AND also whereas the aforesaid King Edward the Fourth by his aforesaid letters patent hath granted for himself, his heirs and successors to the aforesaid burgesses and their successors, that the bailiffs

themselves of the same town or borough for the time being, and such other fit person skilful in the laws and learned in the law of the land, whom the burgesses aforesaid and their successors from time to time shall chuse for Recorder or Steward of the town aforesaid, he himself and they, as soon as so chosen for bailiffs and recorder or steward, be the justices of him and his heirs for the peace, and also for the statutes of artificers and labourers, weights and measures within the town or borough aforesaid, the suburbs and precincts of the same to be kept and maintained. And that they should have full power and authority to enquire of all manner of felonies, misprisons and other defaults and articles whatsoever within the town or borough aforesaid, suburbs and precincts of the same committed or done, which before the keepers of the peace and such justices ought or might be enquired of in any county in England, and for the hearing and determining of the same felonies, trespasses, misprisons, defaults, and such articles as fully and thoroughly as any other justices of the peace in any county of the

kingdom of England might or should be able to enquire, hear, and determine. So that the justices of the peace of labourers and artificers of him or his heirs for the county of Salop being, in no manner then after intermeddle or any of them intermeddle concerning any felonies, matters, causes, things, defaults, or other articles whatsoever to the offices of justices of the peace of labourers and artificers belonging or appertaining, within the said borough, suburbs or precincts of the same from whatsoever cause arising or happening.

Recital of Grant of Edward IV. that Bailiffs and Recorder should deliver Gaol. — Other Justices not to deliver Gaol — Coroner to do the office of sheriff.

VII. AND furthermore the aforesaid Edward, late King of England, unto the aforesaid bailiffs and burgesses hath granted that the bailiffs of the aforesaid town for the time being, and the aforesaid recorder or steward of the town aforesaid for the time being, should be the justices of him and his heirs for the delivering the gaol of the town aforesaid of the prisoners in the same being, and from thenceforth to the same gaol from time to time to be commit-

ted for whatsoever cause; so that no justice or justices of his or of his heirs for delivering the gaol in any manner whatsoever by himself or his heirs from thenceforth to be assigned, should enter the town aforesaid for any cause whatsoever. And that the coroner of the town aforesaid for the time being should make, return, and execute all juries, inquests, panels attachments and mandates to the aforesaid recorder or bailiffs and their successors, and to the steward of the town aforesaid, justices for delivering the gaol of the prisoners in the same being, and thenceforth to the same from time to time for whatsoever cause to be committed, and the precepts of the same bailiffs and their successors, and of the recorder or steward aforesaid should execute from time to time in the same manner and form as any sheriff of his realm of England should make, return, or execute in any manner to such justices of goal delivery of the said realm of England.

Defects mentioned as to Malefactors escaping in the Absence of the Recorder and Bailiffs.

VIII, AND also whereas, for this that

by the aforesaid letters patent of the aforesaid late King Edward the Fourth, the bailiffs and recorder or steward of the town or borough are jointly assigned justices for keeping the peace there; it often and many times happeneth, by the absence of the bailiffs or recorder, malefactors have escaped unpunished, to the delay of justice and evil example of others.

Capital Masters first ordained to act as Justices.

IX. WE, being willing to remove this evil, of our abundant grace we will, constitute, and ordain that from henceforth for ever they have and shall have within the town or borough aforesaid two discreet men of the principal burgesses or aldermen of the same town or borough who before have been and executed the office of high bailiff of the town or borough aforesaid, to be elected and constituted in form hereafter in these presents mentioned, who shall be called the Capital Masters of the town or borough of Ludlow, to be continued in that office during the term hereafter specified. And for that purpose, by these presents, we nominate, create, ordain, and constitute

Richard Fisher and William Gregory, gentlemen, two of the principal burgesses or aldermen of the town or borough aforesaid, to be and to be accounted the first and now capital masters of the town or borough aforesaid, to remain in the office of capital masters of the town or borough aforesaid until the feast of Simon and Jude next following, and from thence until others in the manner hereafter specified to that office are elected and made.

Two Aldermen to be Capital Masters.

X. AND furthermore we will, and by these presents for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the town or borough aforesaid and their successors, that from time to time for ever, it shall and may be lawful for the bailiffs and burgesses of the town or borough aforesaid, or the major part of them from time to time, being present at the election of the bailiffs of the same borough on the day they yearly chuse the bailiffs, to nominate and chuse two discreet and honest men of the capital burgesses or aldermen of the

town or borough aforesaid whom they shall think most fit, who before that time have been and executed the office of head bailiff of the town or borough aforesaid, to be and to be accounted the capital masters of the town or borough aforesaid, to continue in that office during the term of one year then next following, and from thence until others are chosen.

Bailiffs, Recorder, and Capital Masters to be Justices of the Peace.—The Bailiffs, Recorder, and Capital Masters, or two or more of them (the Head Bailiff or Recorder being one) to try offences in like manner as County Justices can, so that they do not take away life or member without the presence of the Recorder. —Other Justices not to intermeddle.

XI. AND further we will, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and to their successors, that Richard Edwards and John Ambler, now bailiffs of the borough aforesaid, during the time that they shall exercise the office of bailiffs of the town or borough aforesaid, and all other bailiffs of the town or borough aforesaid, who hereafter shall be elected

or appointed to that office for the time being; and John Bridgman, knight, our chief justice of Chester, now recorder of the town or borough aforesaid, during the time he shall exercise the office of recorder of the town or borough aforesaid, and every other recorder of the town or borough aforesaid who hereafter shall be elected and appointed to that office for the time being; and the aforesaid Richard Fisher and William Gregory, in these presents nominated to be the first and now capital masters of the town or borough aforesaid as long as they shall continue in the office of capital masters, and every other capital master of the town or borough aforesaid who hereafter shall be elected and appointed to that office for the time from henceforth for ever, are and shall be our keepers and justices, and every of them is and shall be the keeper and justice of us and of our heirs and successors for the preserving and keeping the peace of us and of our heirs and successors within the town or borough aforesaid, the liberties and precincts of the same, and to cause to be observed and kept, and for the keeping

and causing to be kept all ordinances and statutes enacted for the good of the peace and the governing of the people of us, our heirs and successors in all those articles within the town or borough aforesaid, the liberties and precincts of the same, according to the force, form, and effect of them, and for the correcting and punishing all delinquents contrary to the form of those ordinances and statutes, or any of them, within the town or borough aforesaid, the liberties or precincts of the same, so as it may be done according to the form of those ordinances and statutes, and for all those who shall menace any one or more of the people of us, or of our heirs or successors, touching their bodies or the burning of their houses, for sufficient security for the peace, or for their good behaviour towards us, our heirs and successors, and the people of us, our heirs and successors to be found; and if they shall refuse or shall not be able to find such security, then to cause them to be safely kept in the prison of us, our heirs and successors within the town or borough aforesaid, until they shall find such security; and to do and

execute all other things within the town or borough aforesaid, precincts or limits thereof, which to the office of keepers or justices for keeping the peace doth or shall henceforth belong to be done ; and that the said Richard Edwards and John Ambler, now bailiffs of the town or borough aforesaid, during the time which they, or either of them, shall exercise the office of bailiffs of the town or borough aforesaid, and all other bailiffs of the town or borough aforesaid who hereafter shall be elected and appointed to that office for the time being ; and the aforesaid John Bridgeman, knight, now recorder of the town or borough aforesaid, during the time which he shall continue recorder, and every other recorder of the town or borough aforesaid who hereafter shall be elected and appointed to that office for the time being, and the aforesaid Richard Fisher and William Gregory, capital masters of the town or borough aforesaid, as long as they or either of them shall remain in that office, and every other capital master of the town or borough aforesaid who hereafter shall be elected and appointed to that office for the time

being, or any two or more of them, of whom we will the head bailiff or the recorder of the town or borough aforesaid for the time being, to be one, may have full power and authority to enquire, from time to time for ever, by the oaths of honest and lawful men of the town or borough aforesaid, the liberties or precincts of the same, by whom the truth of the matter may be better known of all and all manner of murders, homicides, felonies, poisonings, witchcraft, fortune telling, arts, magick, trespasses, forestallings, regratings and extortions whatsoever; and of all and singular misdeeds, faults, and offences whatsoever of which the justices assigned or to be assigned for keeping the peace of us and our heirs and successors in any county in our kingdom of England may or ought lawfully to enquire, by whatsoever or howsoever before this time done or committed within the said town or borough liberties or precincts of the same, or which hereafter shall happen there to be done or attempted; and also of all those who in the said town or borough, the liberties or precincts of the same, have gone or ridden or

shall hereafter presume to go or ride in assemblies together or armed with force against the peace of us, our heirs or successors, to the disturbance of the people of us, our heirs or successors, and also of all those who have lain or hereafter shall presume to lie in wait to maim or kill the people of us, our heirs and successors; and also of innkeepers and all and singular other persons who have offended or have attempted or hereafter shall presume to attempt or offend in the town or borough aforesaid, the liberties or precincts of the same, in the abuse of weights and measures or in the selling of victuals contrary to the form of those statutes and ordinances on those occasions for the common good of our kingdom of England, and of the people of us, our heirs and successors; and also of whatsoever constables, gaolers, or other officers, who, in the execution of their offices concerning the premises, or any of them, have behaved themselves unduly, or have been or hereafter shall happen to be slow, remiss, or negligent in the town or borough aforesaid, the liberties and precincts of the same; and of all and singular

articles and circumstances concerning the premises, and also of all felonies, trespasses, and misdeeds whatsoever by whomsoever howsoever within the town or borough aforesaid, the liberties or precincts of the same done or perpetrated, or which shall happen hereafter to be done, attempted, or perpetrated there, touching the premises or any of them, and for whatsoever such indictments hereafter to be taken and considered before the aforesaid Richard Edwards and John Ambler, now bailiffs of the town or borough aforesaid, during the time that they or either of them shall exercise the office of bailiffs of the town or borough aforesaid, and before whatsoever other bailiffs of the town or borough aforesaid who hereafter shall be elected and appointed to that office for the time being; and the aforesaid John Bridgeman, knight, now recorder of the town or borough aforesaid, during the time which he shall continue recorder, and every other recorder of the town or borough aforesaid who hereafter shall be elected and appointed to that office for the time being; and the aforesaid Richard Fisher and William Gregory,

capital masters of the town or borough aforesaid, as long as they shall remain in the office of capital masters, and every other capital master of the town or borough aforesaid who hereafter shall be elected and appointed to that office for the time being, or before any two or more of them, of whom we will the head bailiff or recorder of the town or borough aforesaid for the time being always to be one, and for the making and continuing the processes thereupon against all and every person so indicted until they are taken, render themselves, or are outlawed, and for the correcting and punishing those offenders and every of them by fine, redemptions, and amerciaments, and in any other manner as hath been accustomed to be done according to the law and customs of our kingdom of England, and the form of the ordinances and statutes aforesaid; so that they (without the presence or assistance of the aforesaid John Bridgeman, now recorder of the town or borough aforesaid as long as he shall continue recorder, and of every other recorder of the town or borough aforesaid who hereafter shall be

elected for the time being) do not proceed to the correction or punishment of any of the offenders aforesaid, within the town or borough aforesaid, the liberties or precincts of the same, by death or cutting off of members, so that any other of the justices of the peace of labourers or artificers of us, our heirs and successors, assigned, or hereafter to be assigned, in no manner hereafter intermeddle themselves, or any of them, of any murders, homicides, felonies things, causes, matters, defaults, or other articles whatsoever belonging or appertaining to the offices of justices of the peace of labourers and artificers within the town or borough aforesaid, the suburbs, liberties, or precincts of the same, out of whatsoever cause arising or happening.

The Bailiff, Recorder, and Capital Masters, or any three or more (the High Bailiff and Recorder being two) may deliver the Gaol.—No other Justices to intermeddle.—The Coroner to execute Processes of said Town Justices, or any three or more of them, (the Head Bailiff and Recorder being two) for Gaol Delivery.

XII. AND further, by these presents we do give and grant for us, our heirs and successors to the aforesaid bailiffs, bur-

gesses, and commonalty of the town or borough aforesaid, and their successors, that the said Richard Edwards and John Ambler, now bailiffs of the town or borough aforesaid, during the time they shall execute that office of bailiffs of the town or borough aforesaid, and every other bailiff of the town or borough aforesaid who hereafter shall be elected and preferred to that office for the time being, and the aforesaid John Bridgeman, recorder of the town or borough aforesaid, as long as he shall continue recorder, and every other recorder of the town or borough aforesaid, who hereafter shall be elected and preferred to that office for the time being, and the aforesaid Richard Fisher and William Gregory, capital masters of the town or borough aforesaid, as long as they or either of them shall remain in that office of capital masters, and any other capital masters of the town or borough aforesaid who hereafter shall be elected and preferred to that office for the time being, or any three or more of them (of whom we will the high bailiff and recorder to be two) may be the justices of us, our heirs and successors to

deliver the gaol of the borough aforesaid of all prisoners in the same being, and from henceforth to the same gaol for whatsoever cause from time to time to be committed; so that none of the justices of us our heirs and successors of the aforesaid counties of Salop and Hereford, or either of them, by us our heirs or successors to be assigned to deliver any gaol in any manner may, on that occasion, in any wise enter the town or borough aforesaid, the liberties or precincts of the same; and that the coroner of the borough aforesaid for the time being may make, return, and execute all juries and inquisitions, panels, attachments and mandates of the late bailiffs or recorder, and of the aforesaid Richard Edwards and John Ambler, now bailiffs of the town or borough aforesaid, during the time that they or either of them shall exercise the office of bailiff of the town or borough aforesaid, and of any other who hereafter shall be elected and placed in that office of bailiff of the town or borough aforesaid for the time being, and of the aforesaid John Bridgeman, knight, now recorder of the town or borough aforesaid,

as long as he shall continue recorder, and of any other recorder of the town or borough aforesaid who hereafter shall be elected and preferred to that office for the time being; and of the aforesaid Richard Fisher and William Gregory, capital masters of the town or borough aforesaid, as long as they or either of them shall continue in the office of capital masters of the town or borough aforesaid, and of any other capital masters of the town or borough aforesaid who hereafter shall be elected and preferred to that office for the time being, or of any three or more of them (of whom we will the head bailiff and recorder of the town or borough aforesaid for the time being to be two) to deliver the gaol of the borough aforesaid for that time of the prisoners in the same being, and from thence to be committed to the same gaol for the causes aforesaid; and the precepts of them or any three or more of them (of whom the high bailiff and recorder of the town or borough aforesaid for the time being we will always to be two), he is to execute from time to time in the same manner and form as

any sheriff of any county of our realm of England may or ought by any means to make, return, attend, or execute of the like justices for delivering the gaols of our said realm.

The Bailiffs and Common Council to chuse other Capital Masters on Death or Removal.—The Capital Masters removable at the pleasure of the Bailiffs and Capital Burgesses.

XIII. And further we do grant to the aforesaid bailiffs, burgesses and commonalty of the town or borough aforesaid and their successors, for us our heirs and successors, that if it shall happen the aforesaid capital masters of the town or borough aforesaid above in these presents nominated, or either of them, or any other capital masters of the town or borough aforesaid, in future time to die, or from the office of capital masters of the town or borough aforesaid for bad behaviour or any reasonable cause to be removed before any feast of Simon and Jude, (which capital masters, and every or any of them, we will to be removable at the pleasure of the bailiffs and capital burgesses of the town

or borough aforesaid, or the major part of them, for the time being); that then and so often it shall and may be lawful for the bailiffs and common council of the town or borough aforesaid for the time being, or the major part of them, to chuse, nominate, and make one or two others of the capital burgesses of the town or borough aforesaid for the time being, to the place or places of the aforesaid capital master or masters so happening to die or be removed, and that he or they so elected and made, or to be elected and made to the place or places aforesaid, shall be the justices of us, our heirs and successors in like manner and form as the aforesaid other capital masters by us in these presents constituted, are or may be, and this as often as such case may happen.

The Bailiffs, Recorder, and Capital Masters to be sworn before two Aldermen or Capital Burgesses.—Aldermen, Common Council, Recorder, Steward, Coroner, Clerk of the Market, common Clerk, Sergeants at Mace, and other Officers to be sworn before the Head Bailiff—Power of to the Head Bailiff to administer Oaths.

XIV. WE will nevertheless that the aforesaid Richard Edwards, John Ambler,

John Bridgeman, Richard Fisher, and William Gregory, before they or any of them are admitted to the execution of the office of justices of the peace within the borough aforesaid, they and every of them shall take the corporal oath to execute well and faithfully the office of justices of the peace, and his other offices within the town or borough aforesaid, the liberties and precincts of the same; and also the oaths required on that part by the laws and statutes of the kingdom of England provided to be taken by justices of the peace, before two or more of the capital burgesses or aldermen of the borough aforesaid severally and respectively, to which capital burgesses or aldermen of the borough aforesaid for the time being, we have by these presents for us, our heirs and successors given and granted without any further warrant or commission in this behalf, full power and authority to administer such corporal oaths as aforesaid upon God's holy Evangelists to the aforesaid Richard Edwards, John Ambler, John Bridgeman, Richard Fisher and William Gregory severally and respectively. We

also will that all other bailiffs and every recorder, and all capital masters of the town or borough aforesaid who hereafter shall be elected, who for the time being are limited and appointed to execute the office of justices of the peace within the borough aforesaid from henceforth for ever before they are admitted to the execution of the office of justices of the peace there, every of them shall take before the high bailiff or two other of the capital burgesses or aldermen of the borough aforesaid for the time being, a corporal oath upon God's holy Evangelists well and faithfully to execute the office of justices of the peace, and their other offices within the borough aforesaid, the liberties and precincts of the same; and also the oaths on that behalf by the laws and statutes of our kingdom of England provided requisite to be taken by justices of the peace; and therefore we give and grant for us, our heirs and successors by these presents to the high bailiff or any two other capital burgesses or aldermen of the borough aforesaid for the time being, full power and authority from time to time to administer

such oaths as before mentioned to the aforesaid justices of the peace, without any other warrant or commission to be procured or obtained from us, our heirs or successors; and that the officers and ministers of the borough aforesaid for the time being may faithfully execute their offices, and more diligently and respectfully behave and bear themselves in them; we will and by these presents for us, our heirs and successors do constitute and ordain that all and singular of the number of twenty-five of the common counsellors of the borough aforesaid, and also all and singular the recorder, steward, coroner, clerk of the market, common clerk, sergeants at mace, and also all other inferior officers and ministers of the borough aforesaid from time to time to be named, chosen, and constituted by virtue of these presents, or by virtue of any other letters patent, by any of our progenitors or ancestors, late Kings and Queens of England, before this time made or confirmed, before they are admitted to the execution of their offices they and every of them shall take corporal oaths upon God's holy Evangelists before

the head bailiff of the borough aforesaid for the time being, to execute the office or offices to which he or they have been respectively elected and made well and faithfully; and by these presents for us, our heirs and successors, we do give and grant full power and authority to the high bailiff of the borough aforesaid and his successors for the time being, to give and administer such oaths as before expressed to the aforesaid aldermen and the rest of the officers and ministers of the aforesaid borough from time to time to be chosen, without any other warrant or commission from us, our heirs or successors to be obtained or procured.

The Bailiffs, Recorder, and capital Masters, or two or more of them (the Head Bailiff or Recorder being one) to hold a General Sessions.—Not to take away Life or Member of Delinquents without the Presence of the Recorder.

XV. And further we will, and by these presents for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid, and their successors, that it may and shall be lawful for the aforesaid

Richard Edwards and John Ambler, now bailiffs of the town or borough aforesaid, during the time which they shall exercise the office of bailiffs of the said town or borough, and all other bailiffs of the town or borough aforesaid who hereafter shall be elected and preferred to that office for the time being, and to the aforesaid John Bridgeman, knight, now recorder of the town or borough aforesaid during the term which he shall be recorder, and to every other recorder of the town or borough aforesaid, who shall hereafter be elected and preferred to that office for the time being; and to the aforesaid Richard Fisher and William Gregory, now capital masters of the town or borough aforesaid, during the term which they shall have that office and to all other capital masters of the same town or borough for the time being, for ever hereafter, or any two or more of them (of whom we will the high bailiff or recorder of the town or borough aforesaid for the time being to be one) in any convenient place within the town or borough aforesaid, the liberties or precincts of the same, to have, hold, and keep from time to

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time for ever, when to them it shall seem necessary, general Sessions of the Peace of us our heirs and successors, for all affairs, matters, and offences within the said town or borough, liberties or precincts of the same happening, arising, or committed, and all and every thing in the same sessions to do and execute in such ample manner and form as the justices of the peace of us, our heirs and successors in any county in our realm of England may lawfully do, or hereafter shall be able or ought to do, so that they do not proceed to the correction or punishment of any person delinquent by death or taking away of members, without the presence, assistance, or advice of the recorder of the borough aforesaid for the time being.

Power of the Bailiffs to make Deputies, who are to be sworn before two Aldermen or Capital Burgesses.

XVI. AND further we will and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid, and their successors, that if it

shall happen the bailiffs of the borough aforesaid for the time being, or either of them, fall sick in such sort, or by infirmity to be hindered so that he or they are not able conveniently to attend the business of the borough aforesaid, or he or they are gone out of the said borough for any reasonable cause by the license of the common council of the borough aforesaid or the major part of them for the time being, that then and so often it shall and may be lawful for the said bailiffs, or either of them for the time being, respectively in writing to make and constitute one other or two others of the common council of the town or borough aforesaid for the time being, who before then have or hath been bailiff or bailiffs of the borough aforesaid, to be and remain deputy or deputies of such bailiff or bailiffs so sick or infirm, or for reasonable cause so as aforesaid allowed to be about to be continued in office during the absence, sickness, or infirmity, of such bailiff or bailiffs of the borough aforesaid for the time being, which certain person or persons so deputed and constituted to the office of

deputy bailiff or bailiffs, may have power and ability to make and execute all and singular those things which belong or ought to belong to the office of bailiff or bailiffs of the borough aforesaid within the same borough, the liberties and precincts of the same, to be made and executed during the time of the absence, sickness, or infirmity of the bailiff or bailiffs for the time being, by virtue of these our letters patent so fully, wholly, and entirely, and in as ample manner and form as the bailiff or bailiffs of the borough aforesaid may or can make or execute, having first taken a corporal oath before any two or more of the aldermen of the borough aforesaid for the time being, rightly, well, and faithfully to execute all and singular which to the office of deputy bailiff or bailiffs of the borough aforesaid doth belong; and further we will and by these presents for us, our heirs and successors, full power and authority to two or more of the aldermen or capital burgesses of the borough or town aforesaid for the time being, to give and administer corporal oaths upon God's holy Evangelists to every deputy bailiff in such case as is

before expressed to be constituted for the true execution of the office of deputy bailiffs of the said town or borough according to the tenor of these presents, we do give and grant by these presents without any other common or further warrant on that behalf to be procured,

Grant of Recognizances and Sums forfeited, and Power to levy the same.

XVII. WE have also given and granted and by these presents for us, our heirs and successors, we do give and grant to the aforesaid bailiffs, burgesses, and commonalty of the borough aforesaid, and their successors, all and all manner of recognizances and sums of money before the bailiffs or recorder or capital masters of the town or borough aforesaid for the time being, or before the justices of the gaol delivery, justices of the peace of the town or borough aforesaid before in these presents named, or by force or virtue of these presents hereafter to be made, or before any of them within the town or borough aforesaid, liberties or precincts of the same from time to time to be acknowledged and

forfeited, or thereupon growing or arising; and that it shall and may be lawful to the said bailiffs, burgesses, and commonalty of the borough aforesaid for the time being, by themselves or their proper officers or ministers, to place themselves in seizin of the same recognizances and forfeitures, and the same to levy, have, and take; or by any other lawful way to seek and recover the same, to the sole and proper use and benefit of the bailiffs, burgesses, and commonalty themselves of the borough aforesaid and their successors for ever, without the let or hindrance of us, our heirs or successors, or any officers or ministers of us, our heirs or successors whosoever, and without rendering, paying or making account or any other thing therefore to us our heirs or successors in any manner whatsoever.

Recital of Power of Return of Writs.

XVIII. AND also whereas the aforesaid Edward the Fourth, late King of England, by his letters patent aforesaid hath granted to the aforesaid burgesses that they themselves and their successors from thenceforth

for ever should have return as well of assizes as of all and all manner of writs, precepts, bills, and warrants of him, his heirs and successors; and also of all summonses, extracts, and precepts out of the exchequer of him, his heirs and successors, and of the extracts and precepts of the justices itinerant of him, his heirs and successors, as well for pleas of the forest as for common pleas, or of other justices whatsoever; and also of attachments as well of pleas of the crown as of others in the said borough, suburbs, liberties, or precincts of the same, and of the execution of them to be done by the bailiffs of the borough aforesaid for the time being, so that no sheriff, bailiff, or other minister of him, his heirs and successors should enter the said borough, suburbs, liberties, or precincts of the same, for any his office or any thing to his office appertaining to be done, unless for neglect of the bailiffs themselves of the borough aforesaid, or of the ministers of them for the time being.

Doubts removed as to serving Writs, Precepts, Warrants, &c: on account of the Liberties of the Town being as

well in the County of Hereford as in the County of Salop.—No Sheriffs or other Officers of the Counties of Salop or Hereford to enter the town unless for default of the Bailiff.—Sheriff punishable for infringing the Liberties.

XIX. WE, willing to take away and out of all doubts arising by reason of this that the liberties of the aforesaid town or borough lie and be as well in the aforesaid county of Hereford as in the aforesaid county of Salop, we will, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that they themselves and their successors have the return and execution of all the aforesaid assizes, writs, receipts, bills, warrants, extracts, and precepts, through all the town or borough aforesaid, the liberties and precincts of the same, as well in the aforesaid county of Hereford as in the aforesaid county of Salop being, so that no sheriff, bailiff, or other minister of us, our heirs or successors, of the aforesaid counties of Salop or Hereford, or either of them, or of any other may enter the said

town or borough, suburbs or precincts of the same, for any of their offices, or any thing belonging to their office, unless for default of the bailiffs themselves of the town or borough aforesaid, or of their ministers for the time being.

Recital of Power to chuse a Coroner.—No other Coroner to intermeddle with the Affairs of the Town.

XX. AND also whereas the aforesaid Edward, late King of England, the Fourth, by his letters patent aforesaid hath further granted to the aforesaid burgesses that they themselves and their successors for ever should be able to chuse and should appoint every year, upon the aforesaid feast of the Apostles Simon and Jude, of themselves one Coroner for the borough aforesaid, and that the same coroner so elected and appointed should have full power and authority to do and exercise in the same town, suburbs, and precincts of the same, all and singular which to the office of any coroner of him, his heirs and successors might appertain or ought to belong to be done and executed; so that no other coroner of him, his heirs and successors might enter, or should presume

to enter, into the aforesaid town, suburbs and precincts of the same, to do any thing that to the office of such coroner did appertain, nor should intermeddle himself concerning any thing to the office of coroner appertaining within the said town, suburbs and precincts of the same any wise arising; and also whereas the liberties and precincts of the town or borough aforesaid extend themselves as well into the aforesaid county of Salop as into the aforesaid county of Hereford.

Coroners for the Counties of Salop or Hereford prohibited doing any thing within the Town, Liberties or Precincts.

*—Coroner to be sworn before the Head Bailiff.—
Power to Head Bailiff to swear Coroner.*

XXI. WE, for the more ample and plain declaration of our pleasure in this behalf, do will and by these presents for us, our heirs and successors, we do warn and prohibit that no coroner of us, our heirs or successors of the aforesaid counties of Salop and Hereford, or either of them, do in any sort intermeddle to do any thing that to the office of such coroner belongs within the aforesaid town or borough, suburbs or precincts of the

same in any wise arising, unless in default of the coroner of the town or borough aforesaid; and for the better execution of the coroner's office aforesaid, we will that from time to time hereafter for ever, the aforesaid coroner for the time being, shall take before the head bailiff of the borough aforesaid for the time being, a corporal oath upon the holy Evangelists of God, well and truly to execute and follow that office, and also the oath established and ordained to be taken by the coroner by statute of Lady Elizabeth, late Queen of England, in the twenty-seventh year of her reign, and the other oaths which by the laws of this kingdom are required to be taken, to which head bailiff we do by these presents give and grant full power and authority for the giving and administering such oaths as aforesaid to the aforesaid coroner without any other warrant or commission from us, our heirs or successors in any sort to be sought or obtained.

The View of Frankpledge confirmed.—Power to make a Steward of the View of Frankpledge.

XXII. And further for the better con-

firmation of the view of frankpledge, heretofore used within the town or borough aforesaid, we will and by these presents for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses, and commonalty of the borough aforesaid and their successors, that they themselves and their successors may have, hold, and enjoy, and that they may be able and have power to have, hold, and enjoy within the aforesaid borough of Ludlow, the liberties and precincts of the same, a view of frankpledge of all and singular the inhabitants and residents within the same borough, liberties and precincts of the same, and all which to the view of frankpledge belongs, or may or ought to appertain, to be held twice in the year (to wit) once within a month of Easter, and again within a month next after the feast of St. Michael the Archangel, to be held every year before the steward of the borough aforesaid for the time being, together with all summonses, attachments, amerciaments, fines, profits, commodities, and other things whatsoever which may or ought to belong to us, our heirs or successors there by

reason thereof in any manner whatsoever ; and that this grant may take better effect, we have granted, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the borough aforesaid and their successors, that it shall and may be lawful to the bailiff and the rest of the common council of the borough aforesaid for the time being, or the major part of them from time to time, to elect and appoint one honest and discreet man for steward of the borough aforesaid, to be continued in that office during the pleasure of the bailiffs and the rest of the common council of the borough aforesaid for the time being ; and that he who shall be thus from time to time elected for steward of the borough aforesaid, a corporal oath to execute that office faithfully in manner and form aforesaid first taken may have and exercise and may do and execute all and singular and whatsoever that to the office of steward there doth appertain to be done and executed.

All former Grants and Privileges granted and confirmed.

XXIII. And further we will, and by

these presents for us, our heirs and successors do grant, confirm, ratify, and approve to the aforesaid bailiffs, burgesses, and commonalty of the borough aforesaid and their successors, all and all manner the liberties, franchises, authorities, exemptions, privileges, quittances, tolls, and jurisdictions whatsoever which the bailiffs, burgesses, and commonalty of the borough aforesaid now have, hold, use, and enjoy, or which any of them or their predecessors by whatsoever names or name, or by whatsoever incorporation, or by pretence of whatsoever incorporation before this time they have had, used, or enjoyed, or ought to have had, held, used, or enjoyed of estate of inheritance by reason or pretence of any charters or letters patent of any of our progenitors or ancestors, Kings or Queens of England, in any manner before this time made, granted or confirmed, or by whatsoever other lawful means, right, title, custom, use, or prescription heretofore lawfully used, had, or accustomed, (although the same or any or either of them before this time have not been used, or have been abused or ill used, or have or

hath been discontinued, and although any or either of them are or should have been forfeited, seized, or lost) to have, hold, and enjoy to the aforesaid bailiffs, burgesses, and commonalty of the borough aforesaid and their successors for ever; and therefore to be rendered and paid to us, our heirs and successors yearly, all, so much, such like, the same, and such sort of rents services, sums of money, and demands whatsoever, so much, as much, such as, and which have heretofore been accustomed to be yielded and paid to us for them, or which they ought to yield or pay.

*All Liberties Freedoms, Customs, &c. to be enjoyed without
let or hindrance.*

XXIV. WHEREFORE we will, and by these presents for us, our heirs and successors do firmly command to be enjoined that the aforesaid bailiffs, burgesses, and commonalty of the borough aforesaid and their successors may have, hold, use, and enjoy, and fully and entirely shall and may be able to have, hold, use, and enjoy for ever all liberties, freedoms, customs, privileges, authorities, jurisdictions, and acquittances aforesaid, according to the

tenour and effect of these our letters patents without the let or hindrance of us, our heirs and successors, or of any officers or ministers of us, our heirs or successors whosoever.

Bailiffs, Burgesses, and Commonalty not to be molested.

XXV. WILLING that the same bailiffs, burgesses, and commonalty of the borough aforesaid and their successors, or any of them, by reason of the premises, or any of them, by us or our heirs or the justices, sheriffs, escheators, or other bailiffs or ministers of us, our heirs or successors whomsoever may be therefore molested vexed, let, grieved, or troubled in any thing.

The King's Officers and Ministers charged not to prosecute Bailiffs, Burgesses and Commonalty for any matter done before the date of these presents.

XXVI. WILLING, and by these presents for us, our heirs and successors charging and commanding as well the treasurer, chancellor, and barons of our exchequer at Westminster, and other justices and officers of us, our heirs and successors, as also our attorney general, and every other of them for the time being, and all and

every other of the officers and ministers of us, our heirs and successors whomsoever, that neither they nor any of them or either of them may or shall make or cause to be made, or prosecuted, or continued, any writ or summons of *quo warranto*, or other writs or processes whatsoever against the aforesaid bailiffs, burgesses, and commonalty of the borough aforesaid, or against any or either of them for any causes, things, matters, claims, or usurpations, or for any of them by them claimed, used, attempted, had, or usurped before the day of the making of these presents.

Corporation Officers or Ministers not to be molested for any thing done before the date of these presents.

XXVII. ALSO willing that the bailiffs, burgesses, and commonalty of the borough aforesaid, or any or either of them, or any or either of the justices, officers, or ministers aforesaid, be not in the least molested or troubled concerning or for the due and lawful use, claim, or abuse of any other liberties, franchises, or jurisdictions within the borough aforesaid, limits or precincts of the same before the day of the making these our letters patent to be compelled to

answer for them or any of them by reason that express mention of the true yearly value or of the certainty of the premises, or of any other the gifts or grants by us, or of any of our progenitors or predecessors to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid before this time made in these presents is not in the least expressed, or any statute, act, ordinance, provision, proclamation or restriction before this had, made, enacted, ordained, or provided, or any other matter cause, or thing whatsoever, to the contrary thereof in any thing notwithstanding. In testimony whereof we have caused these our letters to be made patents. Witness myself at Canterbury, the thirty-first day of July, in the third year of our reign.

By Writ of Privy Seal

WOLSLEY.

The fine is taxed to X£.

THO. COVENTRYE.

CHARTER

OF

KING CHARLES II.

TO LUDLOW.

14th April, 1665.

Recital that Ludlow is an ancient and populous town &c. and enjoyed divers Liberties, Franchises, Privileges, &c.—Messuages. Lands, &c. confirmed to Bailiffs, Burgesses, and Commonalty.

I, CHARLES, the Second, by the grace of God, King of England, France, and Ireland, Defender of the Faith, &c. To all to whom these presents shall come greeting. Reciting that Ludlow is an ancient and populous town and borough, and for many ages hath been a corporation or body corporate and politick; and that the bailiffs, burgesses, and commonalty of the town or borough of Ludlow have had, held, exercised, and enjoyed divers liberties, privileges, franchises, customs, powers, immunities, pre-eminences, lands, tenements, possessions, and other hereditaments as well by virtue of divers charters as by reason and pretence of divers laudable and

ancient prescriptions, and that the bailiffs, burgesses, and commonalty of the town or borough aforesaid most humbly besought him for the bettering and the better rule of the said borough to extend and exhibit the same by ratification and confirmation; therefore he gives, grants, confirms, ratifies and approves to the said bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, all and all manner the messuages, mills, lands, tenements, tythes, meadows, feedings, pastures, commons, coroner, escheator, courts of record, recognizances, pleas, goods, and chattels of felons and fugitives, felons of themselves and put in exigent deodands, waifes, strays, markets, fairs, tolls, taxes, tallages, taxes, fines, redemptions, issues, amerciaments, perquisites of courts, gaol liberties, &c. as granted by Charles the First's Charter, or as otherwise held, used, and enjoyed, willing commanding, and enjoining all other officers not to enter, intermeddle and concern themselves with the same in the most full and general manner notwithstanding any omission or fault.

Bailiffs, Burgesses, Capital Master, Recorder, Common Clerk, and other Officers and their Deputies, and the Justices to take the Oaths of Obedience and Supremacy before they act.

II. PROVIDED always and we will and by these presents for us, our heirs and successors, we do order and firmly command to be enjoined that the bailiffs, burgesses, and capital masters, recorder, common clerk, and all other officers and ministers of the borough aforesaid, and their deputies, and all justices of the peace of us, our heirs and successors within the borough aforesaid, by virtue or according to the tenor of these presents, or of any other letters patent or charters for ever to be named, elected, or constituted, before they or any of them respectively shall intermeddle with the execution or exercise of their or any of their offices to which they or any of them shall be respectively nominated, elected, or constituted, shall take upon God's holy Evangelists as well the corporal oath, commonly called the oath of obedience, as the corporal oath commonly called the oath of supremacy before such person or persons who are and shall be appointed and assigned for ever hereafter

for the giving and administering such oaths by the laws and statutes of this our realm of England.

Recorder and Common Clerk to be approved by the King:

III. AND moreover we will, and our royal intention we declare that no person or persons from henceforth to be elected and constituted to the office or offices of recorder and common clerk of the town or borough aforesaid other than the present recorder and town clerk of the town or borough aforesaid, intermeddle in any manner with the respective offices before they and of every of them respectively have been once approved by us, our heirs or successors, any thing in these presents contained, or any other matter, cause, or thing whatsoever to the contrary thereof in any wise notwithstanding. For that express mention &c. In testimony whereof we have caused these our letters to be made patent. Witness myself at Westminster, the fourteenth day of April, in the seventeenth year of our reign.

VYNER.

Fine Ten Pounds.

By command of the King.

CHARTER

OF

WILLIAM AND MARY,

TO LUDLOW,

DECEMBER 19th, 1692:

Recital of the Surrender of former Charters to King Charles II.—Recital of Charter of King James II. 28th of March, 1685. — Recital of removing the whole Corporation, 10th December, 1688.—The Members of first Corporation reassumed.

I. WILLIAM and MARY, by the grace of God, King and Queen of England, Scotland, France, and Ireland, Defenders of the Faith &c. To all to whom these our letters patent shall come greeting. Whereas a certain instrument in writing, bearing date the nineteenth day of January, in the thirty-sixth year of the reign of our most dear uncle Lord Charles the Second, late King of England, was made by the bailiffs, burgesses, and commonalty of our town or borough of Ludlow, in the county of Salop, or in the name of the bailiffs, burgesses, and commonalty of the same town or

borough, and sealed with the common seal of them, in which certain instrument it is contained or mentioned that the aforesaid bailiffs, burgesses, and commonalty granted and surrendered to our aforesaid uncle, his heirs and successors, all and singular the powers, privileges, and authorities whatsoever, wherewith they or any select number of them were in any manner endued, or which they or any select number of them exercised or used, by virtue of any charters, letters patent, customs or prescriptions of or concerning the election nomination, constituting, or appointing of any person or persons to the several and respective offices, and places of bailiffs, aldermen, justices of the peace, common councilmen, recorder, town clerk, steward of the courts leet and view of frankpledge held within the town or borough aforesaid, coroner, sergeants at mace, and attornies in the court of pleas held within the town or borough aforesaid and every or any of their offices or places aforesaid, into or for the exercising or executing of them or any of them as by the aforesaid instrument inrolled in our court of chan-

cery, and there remaining of record it doth more fully appear. And whereas in and by certain letters patent of Lord James the Second, late King of England, made under the great seal of England, bearing date the twenty-eighth day of March, in the first year of his reign, it is contained and mentioned that the said late King incorporated the burgesses and inhabitants of the town or borough of Ludlow aforesaid by the name of mayor, aldermen, and common council of the town or borough of Ludlow, in the county of Salop, and them by the name aforesaid one body corporate and politick by the name aforesaid in deed, fact, and name created, and divers persons in the same letters patent were named to be aldermen and common councilmen, and other officers of the town or borough who never before had such offices; and whereas in and by the letters patent aforesaid it is provided and full power and authority is reserved to the said late King James the Second, his heirs and successors at the good pleasure of him, his heirs and successors from time to time by any order, direction, or instruction by him the afore-

said late King, his heirs or successors, given or signified to the Lord President of the council, or his heirs or successors within the principality or marches of Wales, to remove or to declare to be removed, the mayor, recorder, steward, coroner, town clerk, or any or either of the aldermen, capital burgesses or common councilmen, chamberlains or sergeants at mace in the said letters patent named or afterwards to be elected or constituted, and as often as the aforesaid lord president of the council within the principality and marches of Wales aforesaid, upon such order, direction, or instruction to him given or signified, should declare such mayor, recorder, steward, coroner, town clerk, or any of the aldermen, capital burgesses, or common councilmen, chamberlains, or sergeants at mace of the town or borough aforesaid for the time being removed from his or their offices, respectively, that then and from thenceforth such mayor, recorder, aldermen, justices, capital burgesses, or common councilmen, Steward, coroner town clerk, chamberlains, and sergeants at mace of the borough aforesaid for the time being,

or any of them so declared or to be declared to be removed from their respective offices shall be removed *ipso facto* and without any other process really and to all intents and purposes whatsoever, as by the aforesaid letters patent before recited amongst other things in the same contained more fully is manifest and appears; and whereas our very faithful and sincerely beloved cousin Henry Duke of Beaufort, late president of the council within the principality and marches of Wales aforesaid, by virtue of an order, direction, or instruction of the said late King James the Second, to him the aforesaid late president in that behalf directed and signified, he removed and displaced by a certain instrument in writing under the hand and seal of him the late president, bearing date the tenth day of December, in the fourth year of the reign of the said late King James the Second, the then mayor, recorder, steward, coroner, town clerk, aldermen, capital burgesses, or common councilmen, chamberlains, and sergeants at mace of the town or borough aforesaid from their respective offices, and them from their respective offices

declared to be removed; and thereupon divers persons who were at the time of the surrender aforesaid, aldermen and common councilmen, of the town or borough aforesaid reassumed and took again their respective offices, and have lately chose two bailiffs and certain others into several other the aforesaid offices within the town or borough aforesaid, whether by death of divers of such officers or by other ways and means vacant to supply the number of the body corporate aforesaid.

King William and Queen Mary desire to restore and establish the first Corporation, and grant a Restoration of the same.

II. Now know ye that we graciously affecting and desiring the good establishment and profit of the town or borough aforesaid, that the burgesses and inhabitants of the town or borough aforesaid from henceforth for ever may have and enjoy all and singular the privileges, franchises, powers, liberties, immunities, authorities, rights, jurisdictions, and emoluments which they had or ought to have if the aforesaid instrument of surrender or letters patent before recited had never

been; and that all and singular the officers and ministers who were within the same town or borough the day of the date of the instrument of surrender aforesaid, and have now lately reassumed the same offices as aforesaid, may be fully restored to their several and respective places and offices, which at the time of the surrender aforesaid they had or exercised within the town or borough aforesaid, and others lately elected to other offices within the borough aforesaid in the same respective offices may be confirmed, of our special grace and from the certain knowledge and mere motion of us, we have given, granted, restored, and released, and by these presents for us, our heirs and successors do give, grant, restore and release to our well beloved subjects, burgesses and inhabitants of the town or borough of Ludlow aforesaid, all and singular the liberties, privileges, powers, and immunities, franchises, authorities, rights, jurisdictions, exemptions, and other profits and advantages whatsoever so as aforesaid granted and surrendered, or mentioned to be granted and surrendered to our said uncle, in as ample

manner and form as the aforesaid bailiffs, burgesses, and commonalty or their predecessors had or enjoyed, or ought to have had or enjoyed, the premises, or any of them, before the day of the date of the before recited instrument of surrender, and as if the said instrument of surrender had never been.

Reincorporation of the Burgesses and Inhabitants by the ancient Name of Bailiffs, Burgesses, and Commonalty.
—Power to acquire Lands, &c.

III. AND further of our more ample special grace, and of our certain knowledge and mere motion we have willed, granted, constituted, declared, and confirmed, and by these presents for us, our heirs and successors do will, grant, constitute, declare, and confirm that the town or borough of Ludlow aforesaid, in the said county of Salop, be and remain for ever hereafter a free borough of itself, and that the burgesses and inhabitants of the town or borough aforesaid from henceforth for ever shall be and continue one Body Corporate and Politick, by the name of Bailiffs, Burgesses, and Commonalty of the town or borough of Ludlow, in the county of

Salop, and them by the name of the bailiffs, burgesses, and commonalty of the town or borough of Ludlow, in the county of Salop, one body corporate and politick in deed, fact, and name, really and to the full for us, our heirs and successors, we do erect, make, ordain, create and restore by these presents, and that by the same name they have a perpetual succession; and that they by the name of bailiffs, burgesses, and commonalty of the town or borough of Ludlow in the county of Salop, be and shall be for ever in future times persons able and capable in law to have, acquire, receive, hold, and possess lands, tenements, liberties, privileges, jurisdictions, franchises, hereditaments, goods and chattels of whatsoever sort, nature, or kind they be to themselves and their successors in fee for ever, or for term or terms of life, lives, or years, in any other manner.

Grant and Confirmation of the re-establishment of the several Members and Officers.—Causes of Vacancies are Death, Resignation, Absence, Disability.

IV. AND further we will, and by these presents for us, our heirs and successors, do grant, restore, and confirm to the bailiffs,

burgesses, and commonalty of the town or borough aforesaid, and also to our beloved Thomas Powys, gent. who was lately elected to the office of one of the bailiffs and justices of the peace of the quorum of the town or borough aforesaid by the death of John Bowdler, late bailiff there, and to our beloved Thomas Lea, gent. who was now lately elected to the office of the other of the bailiffs and justices of the peace of the town or borough aforesaid in the stead and upon the resignation of George Haughton, gent. late bailiff there, and to the aforesaid alderman Thomas Powys, and also to our beloved Richard Cupper, William Archer, Edward Robinson, Walter Lea, and Richard Cam, gent. who the day of the said instrument of surrender were aldermen of that town or borough; and also to our beloved John Salwey, esq. Richard Davies, John Colbatch, George Long, Philip Cole, and Roger Powis, gentlemen, who were lately elected into the office of aldermen of the town or borough aforesaid, either by the death or removal of divers of the late aldermen there, or by some other due means vacant;

and also to our beloved Francis Lloyd, esq. who was lately elected into the several offices of recorder, justice of the peace of the quorum, and common councilman of the town or borough aforesaid by death, removal for a just cause, or resignation of such offices, or by some other means vacant, and also to our beloved Rowland Carsley, Thomas Lea, John Bright, Edward Smallman, John Shanett, Bernard Hamonds, John Stead, gents. Francis Charlton, esq. Thomas Vernoles, Samuel Jordan, John Senex, gents. Charles Baldwin, esq. Richard Griffiths, John Beeston, and Thomas Jones, gents. who upon the day of the date of the aforesaid instrument of surrender were of the common council of the town or borough aforesaid, and also to our beloved Samuel Bowdler, Edward Robinson, junior, Thomas Hinton, William Waring, Thomas Davies, John Acton, John Dipple, John Pearce, and William Price, who were lately elected into the several offices of common councilmen of the town or borough aforesaid, vacant either by the death, resignation, absence, removal for a just cause, or disability, or

other due means of divers common councilmen there, and also to the aforesaid William Archer and Edward Robinson who were lately elected into the office of justices of the peace within the town or borough aforesaid; and also to our beloved Edward Smallman, gent. who before the day of the date of the aforesaid instrument of surrender was duly elected into the offices of town clerk and steward of the courts leets and views of frankpledge of the town or borough aforesaid, and was lately elected and sworn into the actual execution of the several offices aforesaid; and to our beloved Bernard Hamonds who was lately elected into the office of coroner of the town or borough aforesaid; and to the aforesaid Samuel Bowdler and Edward Robinson the younger, who were lately elected into the office of chamberlains of the town or borough aforesaid, and to our beloved John Beeston, gent. who before the day of the date of the aforesaid instrument of surrender was one of the attorneys in the court of pleas of the town or borough aforesaid, and to our beloved Charles Hopton, Richard Pigg, and John Smallman gents.

who were lately elected into the office of attorneys in the court of pleas aforesaid; and to all other persons who had or held any other offices or office within the town or borough aforesaid on the day of the date of the aforesaid instrument of surrender, or were lately elected into such office or offices as aforesaid; and the same several and respective offices now hold, enjoy, and exercise all and singular the same and such respective offices aforesaid with all and singular powers, privileges, authorities, profits, and emoluments to the same offices respectively appertaining and belonging, as much as and also and in as ample and the same manner and form as they or any of them the several offices and other premises aforesaid respectively ought to have, exercise, use, or enjoy by virtue of any charters or letters patent of any of our predecessors Kings or Queens of England made and granted, or by other right or legal title before the day of the date of the said instrument of surrender of the aforesaid instrument of surrender had never been, and although the several officers aforesaid or any of them were not elected

by the major part of the body corporate of the town or borough aforesaid.

Command to the Officers to execute their Offices.

V. WE will also, and by these presents command that all and singular the officers aforesaid undertake and execute the same offices respectively, and continue in the same during such time and in such and the like manner and form as they ought to have, exercise, and enjoy them and every of them before the day of the date of the recited instrument of surrender, or might or ought to continue in the same, had not in the least been; and although the respective and accustomed days of election of such bailiff, aldermen, common councilmen, recorder, town clerk, or other officers or ministers were elapsed, and as if they and every of them respectively had been in due manner and form elected into their respective offices aforesaid before the date of the said instrument of surrender, any matter, cause, or thing whatsoever to the contrary notwithstanding.

Grant and Restoration of all Lands &c. and other Rights and Privileges, &c.

VI. And further we will and by these presents for us, our heirs and successors do give, grant, confirm, restore and ratify to the bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, all and singular the manors, messuages, lands, tenements, mills, tythes, meadows, pastures, feedings, commons, offices and elections, nominations and appointments of officers, courts of record, recognizances, pleas, goods and chattels, of felons and of fugitives, felons of themselves and put in exigent deodands, waives, strays, markets, fairs, rents, tolls, theols, taxations, tallages, fines, redemptions, issues, amerciaments, forfeitures, perquisites of courts, gaols, and also all such, so many so great, the same, such sort, and the like liberties, franchises, powers, immunities, exemptions, privileges, authorities, quit-tances, rights, jurisdictions, wastes, void grounds, commodities, profits, emoluments, and hereditaments whatsoever, so many, so much, such sort, and what the late bailiffs, burgesses, and commonalty of the town or borough aforesaid or their predecessors by whatsoever name or names, or by whatsoever incorporation or pre

tence of whatsoever incorporation before the day of the date of the aforesaid deed of surrender had, held, used, enjoyed or occupied, or ought to have had, held, used, or enjoyed by themselves, or their successors, by reason or pretence of any charters, grants, or letters patent made, granted, or confirmed by any of our progenitors or ancestors, late Kings or Queens of England, in any manner before the day of the date of the instrument or surrender aforesaid, or by whatsoever other legal means, right, or title, although the same or any of them were forfeited or lost or surrendered, and although the same or any or either of them were disused, or not used, abused or discontinued, to have, hold, and enjoy to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors for ever; yielding and paying therefore yearly to us our heirs and successors, all so much, such, the same, such sort, and the like fee, farm rents, services, sums of money, and demands whatsoever, so many, so much, and such as, and what were accustomed or ought to be yielded and paid for the same to us or our predecessors, the day of the

date of the aforesaid deed of surrender, or ever afterwards.

Grant of a Fair on Monday, Tuesday, and Wednesday in Passion Week, in exchange for a Fair before held on the 30th of April and 1st and 2nd of May.

VII. AND further we will, and by these presents for us, our heirs and successors do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid and their successors, that they and their successors have, hold, and keep, and may and can have, hold, and keep, within the town or borough aforesaid and the precincts of the same, every year for ever, one new Fair or Market upon Monday Tuesday, and Wednesday in the Passion Week before Easter-day, to be held and kept in the place or exchange of one fair or market in times past held within the town or borough aforesaid and precincts of the same every year on the thirtieth of April and the first and second of May, which certain ancient fair we have suppressed and declared void to all intents and purposes by these presents; and that they have and keep a court of pye powder in the time of the new fair aforesaid, and all other liberties, free customs, tolls, tallages,

piccage, fines, amerciaments, and all other profits, commodities, advantages and emoluments whatsoever to such fairs or markets and courts of pye powder appertaining, happening, arising, or contingent, and all customs and liberties to the same fairs and markets and courts of pye powder appertaining or belonging; so nevertheless that the said new fair be not to the damage or hurt of other neighbouring fairs or markets there near adjoining. We will also, and do grant to the aforesaid bailiffs, burgesses, and commonalty of the town or borough aforesaid that they have and shall have these our letters patent under our great seal of England in due form made and sealed without fine or fee great or small therefore in any manner to be yielded, paid, or made to us in our hanaper or elsewhere to our use. In testimony whereof we have caused these our letters to be made patent. Witness ourselves at Westminster the nineteenth of December, in the fourth year of our reign.

By Writ of privy Seal.

PIGOT.

It is pardoned in the Hanaper:

W. RAWLINSON,

G. HITCHINS

COPIES
OF
DECRETAL AND OTHER ORDERS,
RELATING TO
THE CORPORATION
AND
GOVERNMENT OF LUDLOW.

NO. I.

Copy of an Order for establishing the Ancient Government in Ludlow, 16th October, 28th Henry VIII. 1537.

The Common Council of Ludlow complain that the Commonalty claim a Right to partake in the Election of the Bailiffs in derogation of ancient Custom.—The King commands that the next Election of the Bailiffs be followed and observed as of old time hath been done, until further consideration should be taken in the matter.

BY THE KING.

TRUSTY and well beloved, we greet you well, and where it is recited by bill of complaint exhibited unto our Chancellor of England on the behalf of you and the common council of our town of Ludlow,

F f

that before time of the mind of man, the said common council accustomedly used to have the election of the bailiffs of our said town for the time being, and now certain eight persons there inhabiting, the afore-said ancient custom notwithstanding repugn that the said commonalty should have the election of the said bailiffs in derogation of the said ancient custom as is submitted. Wherefore we will and command you see that the election of the bailiffs there be at this next election used, followed, and observed as of old time hath been done and for the same intent that ye call before you all such persons of the commonalty there as repugn or shew themselves willing to the contrary, and the same persons to command and enjoin to suffer the same election accordingly to proceed for this time only without let or contradiction of them or any of them, until further direction shall be therein taken by our said chancellor and other our council upon our person attendant; and in case any of them shall enterprise the contrary, then enjoin them so doing to appear before our commissioners in our Marches of Wales forth-

with to be ordered as shall belong. Given under our signet at Bridgnorth, the sixteenth day of October, the twenty-eighth year of our reign.

To our trusty and well
beloved the Bailiffs of }
the town of Ludlow.

And his Commissioners
in the Marches of Wales.

NO. II.

Order by the King's Commissioners that the next Election of the Bailiffs be used and followed as of old time hath been done.—The Bailiffs to call any of the Commonalty before them who interrupt such Election.

Apud. Bridgnorth, 16th October, 28th
Henry VIII.

UPON sight of this bill and the Lord Chancellor's letter hereunto annexed, it is ordered by the King's Commissioners that a letter be directed to the bailiffs of Ludlow mentioning the contents of this bill touching the election within specified, commanding them to see that the election of the bailiffs there be at this next election used, followed, and observed as of old time hath

been done, and for the same intent that they call before them all such persons of the commonalty there as repugn or shew themselves willing to the contrary, and the same persons to command and enjoin to suffer the same election accordingly to proceed for this time only without let or contradiction of them or any of them, until further direction shall be therein taken by the Lord Chancellor and other the King's most honorable council; and in case any of them shall enterprise to the contrary, then to enjoin them so doing to appear before this council forthwith; and further it is ordered that several letters be directed to the offenders within named to appear the twenty-fourth day of this month for considerations, upon pain of forty pounds.

Cop. concordat cu, origen.

No. III.

DECRETAL ORDERS

IN THE

COURT of EXCHEQUER

*Relating to the Corporation of Ludlow, extracted
from an Exemplification under seal, 27th June,
the 41st Eliz. 1600.*

Michaelmas, 39th Eliz.

Thursday, 24th November, 1597.

*Disputes touching the Government of the Town.—Recital
of Charters.—Affirmance of Misgovernment against
the Common Council.—Order for publishing Evidence
and further Hearing.*

SALOP.—Upon opening the matters in
variance touching the government of the
town of Ludlow, this day in open court
before the Right Honourable the Lord
Treasurer of England and the Lord Chief
Baron, and the rest of the Barons of this
court in the presence of some of the parties
on both sides and their learned counsel.
For as much as upon sight of a Charter
dated in the twenty-seventh year of the
reign of the late King Henry the Sixth

made by Richard, late Duke of York, then Lord of the said town, it appeareth that there was before time out of memory, an ancient government in the said town, consisting of twelve and twenty-five burgesses of the said town, and that the same twelve and twenty-five burgesses ruled and governed the said town, and were the body of the said town, which government the said Duke confirmed by the said charter, and the same government continued until the first year of the reign of the late King Edward the Fourth, who in the same first year did grant unto the said burgesses by his charter under the great seal of England, bearing date the seventh day of December, in the said first year of his reign, by the name of the burgesses of his town of Ludlow, that the same town should be from thenceforth incorporated by the name of bailiffs, burgesses, and commonalty of the town of Ludlow, and granted by the same to the said burgesses that they should chuse two bailiffs yearly of themselves, and should also chuse all officers and ministers in manner and form mentioned in the said charter, and granted

to the said burgesses divers and sundry lands, tenements, and hereditaments in fee simple, as by the said letters patent doth appear.

Now for as much also it is agreed on both sides that twelve and twenty-five burgesses of the said town have ever since the granting of the said charter by the said late King Edward the Fourth in form aforesaid granted, until this day, chosen yearly the bailiffs and all other officers and ministers of the said town, and have had only the disposition of the lands tenements and hereditaments goods and chattels of the said town according to the said letters patent, and for that also it appeareth that the Queen's Majesty by her Highness' letters patent under the great seal of England, in the thirty-eighth year of Her Msjesty's reign hath ratified and confirmed the said government according to the said long usage as is agreed on both sides: It is therefore this day ordered by the said Lord Treasurer, the Lord Chief Baron, and the Barons of this Court that the said ancient manner of government shall be henceforth inviolably kept and

holden, and that John Crowther, late one of the bailiffs of the said town, and others the complainants in this court, shall restore unto the new bailiffs of the said town all such charters, deeds, writings, and muniments concerning the said town which they or any of them hath taken out of the council house of the said town, or otherwise from any other place have gotten into their hands, and all plate, goods, and chattels of the said town, together with the seal of office of the said town by the said bailiffs shall be kept and used according as in former times; and that the said John Crowther as late bailiff, shall make before the auditors or six men of the said town according as others his predecessors have done a full, true, and perfect accompt of all such things belonging to the said town as come to his hands, and shall make payment of such money as shall upon the end of such accounts be found due upon him. And for as much as this court is also informed that the said John Crowther is one of the chief burgesses of the town and a supporter of the troubles in the said town; it is therefore thought meet and so ordered

by this court that the said John Crowther be forthwith examined in this court upon such interrogatories as shall be to him ministered by the defendants, and shall enter into bond in this court that he shall not depart 'till he be examined upon the same and further order taken in that behalf.

And lastly for as much as it is affirmed by the complainants that the said twelve and five-and-twenty burgesses have misgoverned the affairs of the said town, and have converted the lands and tenements, rents, revenues, goods and chattels of the said town to their own private profits, and the private profits of their friends, and not for the commonwealth of the said town.

It is therefore further ordered that the witnesses examined on both sides by commission of this court in that behalf, shall be published, and thereupon this court will proceed to hearing and determining of the said cause.

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NO. IV.

Copy of an Exchequer Order for Government of Ludlow.

Michaelmas, 39th Elizabeth,
Monday 16th October, 1598.

In the Exchequer on the part }
of the Remembrancer. }

John Bradford and others Burgesses of Ludlow, plaintiffs, and Thomas Langford and others Defendants, touching the Government of the Town of Ludlow.—The Court order the ancient mode of electing the Bailiffs, &c. to be observed until further order be made in the matter. —Some of the Counsellors and the Town Clerk displaced, the Council Chamber and the Chest of the Town broken open, and the Records, &c, taken away, which the Court order to be restored.

SALOP.—Upon opening the matters in variance in this court by English bill between John Bradford, Henry Moreton, Thomas Blashfield, William Lane, John Sutton, Simon Blashfield, Robert Wright, John Pingle, Richard Bowdler, Henry Jones, William Williams, William Glover, Ralph Sharrett, Roger Griffiths, Thomas Grately, Richard Bevan, William Bradford, Simon Cupper, John Voyle, William Tomkyn, Rowl. Voyle, Nicholas Chirme, Thos. Hill, Edward Matthews, Griffith Mawle, R. Hook, Edward Harris, Richd. Pritchard,

Thomas Smith, Thomas Bowdler, Richard Browne, Thomas Spencer, Evan Vaughan, Andrew Sunnybank, Thomas Dillow, R. Corke, John Price, Hen. Preece, Charles Amyes, William Camber, Roger Cotton, Adam Nightingale, John Powis, Richard Edwards, John Dayus, Richard Postern, John Preece, Richard Cook, William Griffiths, Henry Preece, Edward ap Owen, Richard Wyne, Richard Frokes, Richard Cother, Anthony Hinksman, Samson Lewkes, John Marston, John Morrice, Rd. Patchett, John Clarke, Thomas Ensdale, William Ethell, William Bowden, William Pingle, Richard Wilke, Thomas Allen, T. Beaste, H. Young, J. Harris, J. Crump, R. Heath, J. Rogers, R. Watts, J. Gregory, J. Sherme, Griffiths ap Rees, T. Gregory, T. Ordox, R. Harding, J. Brazier, R. Broom, W. Cother, W. Voyle, T. Bevan, plaintiffs, and T. Langford, R. Berry, Richard Bayley, Richard Bascoll, Thomas Evans, Thomas Sandland, Francis Jenks, William Clebery, defendants, touching the government of the town of Ludlow this day in the presence of the counsel, learned on both sides, For as much as it is affirmed unto this court that from the first year of the reign of King

Edward the Fourth, the twelve and twenty-five burgesses of the said town have had the elections and making of the bailiffs, recorder, town clerk, sergeants, burgesses to the parliament, and all other officers and ministers of the said town, the setting, letting and disposing of the lands, tenements, and hereditaments, goods and chattels being or belonging to the corporation of the said town, and that the Queen's Majesty by her Highness' letters patent, under the great seal of England, in the thirty-eighth year of her Majesty's reign, hath granted confirmed, and allowed the said kind of government, which government this court doth very well like and allow of. It is therefore this day ordered that the said manner and form of election of bailiffs, recorder, town clerk, burgesses of parliament and all other officers and ministers in the said town, and the said ancient manner and form of government be henceforth quietly and inviolably observed and followed and fulfilled, until the matter now depending in this court be heard and other order taken, and for as much as this court is this day also informed by Mr. Blundell, being of counsel with the defendants, that

John Crowther, Phillip Bradford, Thomas Powle, Richard Edwards, John Bradford William Lane, H. Moreton, T. Blashfield, S. Blashfield, J. Wathoe and other of the inhabitants of the said town have broken up the doors of the council chamber and chest of the said town, wherein the common seal, evidences, and records of the said town were kept and did lie, and thence did take the common seal and the two books of survey, and particular of the lands of the said town, and after the said Crowther, being one of the bailiffs of the said town, did call a great number of the burgesses of the said town together of his own authority, and he the said Crowther and the same multitude of the burgesses did, contrary to the said ancient form of government, displace four of the ancient counsellors and the town clerk of the said town, and elected and placed in their steads or places new counsellors and town clerk, and displace and remove divers of the ancient tenants of the said town, out of and from their tenements and possessions, and placed others in their stead.

It is also therefore ordered that the said Crowther and the said other persons who

broke the said chest and took thence the said seal and evidences, do forthwith, upon notice of this order, restore the same seal and evidences to the place where the same were formerly kept, there to remain as in former times, and that the said four counsellors and town clerk, so removed, be restored and placed again in their former places, and use and exercise their places as formerly they were accustomed; and that all such tenants and farmers so as aforesaid displaced be also restored to their former possessions. And that an injunction be presently awarded under the seal of this court not only to the said John Crowther, Phillip Bradford, William Lane, Lewis Morton, Thomas Blashfield, and all the plaintiffs named in the bill of complaint exhibited into this court, but also to the bailiffs, burgesses, and commonalty of the said town, that now are or hereafter shall be, and to every of them commanding them and every of them to observe and keep the said ancient order of government, and the full effect and tenor of this order, until the matter in this court depending be heard and determined, and other order taken in that behalf.

NO. V.

John Bradford and other Burgesses of Ludlow, Plaintiffs, and Richard Bayley and others, Corporators of Ludlow, Defendants.—Complaint of Abuses and Misgovernments against the Corporation.—The Barons of the Exchequer, after reciting the Charter of Richard Duke of York, confirm the ancient form of governing the Town.—Future complaints against the corporation for Abuses to be heard before the Lord President and Council of the Marches of Wales.—Crowther to be paid his Account out of the Treasury of the Town.—Burgesses not to pay Piccage or Stallage.—Charters to be restored to the Bailiffs.

Easter, 40th of Eliz.

Thursday 11th May, 1599.

UPON full hearing of the matters in variance depending in this court between John Bradford and divers others of the burgesses of the town of Ludlow, plaintiffs, and Rich. Bayley, Robert Berry, Thos. Evans, and Thomas Langford, four of the twelve and twenty-five burgesses of the said town, defendants, this day in court in the hearing and presence of the parties and their learned counsel, being touching abuses and misgovernments complained of by the plaintiffs. Upon hearing of the matters in variance between the said parties before the Right Honourable the Lord Treasurer

of England, the Lord Chief Barons and the rest of the Barons of this Court, the twenty-fourth day of November now last past, as by an order therein taken the same day appeareth.

Now for as much as it appeareth by the same order now read upon this hearing that for as much as upon sight of a charter dated the twenty-seventh year of the reign of the late King Henry the Sixth, made by Richard Duke of York, then Lord of said town of Ludlow, &c. (reciting former order,) Now for as much as this court doth find no cause, for any thing that hath been shewed to the contrary, to alter the said order or any part thereof, touching the government of the said town.

It is therefore this eleventh day of May, this term, ordered and decreed by this court that the said ancient manner of government in all respects shall be henceforth inviolably kept, holden and followed according to the said former order, and that the ancient corporation shall stand and be followed according to the ancient usage. And it is further ordered that in case the said twelve and twenty-five bur-

gesses, or any of them, do at any time or times hereafter in any sort abuse or misgovern any of the affairs of the said town, or do any thing to the wrong of any of the other burgesses, or if the said twelve and twenty-five burgesses, or any of them, shall at any time hereafter offer to displace or put out any of the tenants, being burgesses of the said town, being in possession of any lands and tenements belonging to the said corporation and town of Ludlow, they paying and doing for the same as any other person will do, that then the party or parties grieved in that behalf, shall have redress thereof upon complaint to be made to the Lord President and Council in the Marches of Wales for the time being, and the offender or offenders shall be there punished and ordered according to his or their desert. And whereas also the said John Crowther affirmeth that he according to the said last order accounted &c. and that he could not have payment.

Therefore it is ordered that Sir Richard Shuttleworth consider thereof, and so much as he shall think fit to be paid Crowther out of the treasury of the said town.

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And it is further ordered that all the burgesses of the said town shall be henceforth freed and discharged of the payment of any money for piccage and stallage within the said town according to the charter granted in that behalf.

And it is further ordered that the defendants, for all other of the matters complained of, be dismissed from the court.

And lastly, it is ordered that the several charters belonging to the said corporation now remaining in the custody of Robert Davies, gent. the plaintiffs' attorney, shall be forthwith delivered to Edmond Lloyd one of the bailiffs of the said town, and this order to be a sufficient warrant in that behalf.

Extracted from an Exemplification
under the Seal of the Court of
Exchequer at the request of Rd.
Benson and others, and tested W.
Periam, Knt. the 27th June, 41st
Queen Eliz. this 29th July, 1762,
by me

B. BAUGH, C. C.

NO. VI.

Copy of a Letter to the Council in the
Marches of Wales (found over the Cross)
for reforming Abuses, 1599.

*John Bradford and others petition the Queen Elizabeth
with grievous Complaints against the Corporation:—
Copy of a former Decree in the Matter sent to the
Lord President and Council of the Marches of Wales,
with Instructions to hear and determine the Differences.*

AFTER our very hearty commendations
to your good Lordship and the rest of the
Council. There hath been a petition ex-
hibited unto her Majesty by John Bradford
and some others of the town of Ludlow,
(which we send you herewith all) wherein
they make grievous complaint unto the
rest, which causes and griefs having been
before heard and ordered in her Majesty's
court of exchequer, we have caused a copy
of the decree to be sent unto you, and do
pray you for the good and quiet of the town
to see the same observed; and if any thing
have been done by any of the other side
to the breach of the order taken upon
deliberate hearing of the cause, to see such
correction and reformation done as you
shall think convenient; and if any other

abuse or wrong be complained of that was not formerly exhibited and contained in the decree, we pray your Lordship and the rest to hear the same with indifferency and to take such further order therein as you shall think to be agreeable with equity, and may stand with the better and more quiet government of the town, that neither her Majesty nor we may no more be troubled with this cause. So we bid your good Lordship and the rest very hearty farewell, from the court at Greenwich, the twenty-sixth July, 1599.

Your good Lordship's
very loving friends

T. Egerton,

C. S. Nottingham.

G. Hunsden,

R. North,

W. Knollys,

R. Ceryle,

S. Fortescue.

*To our very good Lord the Earl of Pembroke,
Lord President of the Council established in
the Marches of Wales, and to our loving
friends the rest of the Council there.*

NO. VII.

Copy of an Order of Injunction against
Common Burgesses.

Easter Term, 42 of 2 Eliz.
Tuesday 30th April, 1601.

On the part of the Queen's }
Remembrancer. }

Robert Sanders and Charles Wigley, Bailiffs, and the residue of the Aldermen and Common Counsellors of the Town against John Bradford and others, inform the Court that the said John Bradford and the others with him named, contrary to a Decree formerly made in this Court, had commenced Suit against the said Bailiffs before Her Majesty's Council in the Marches of Wales, touching the Matter mentioned in the said Decree in contempt of this Court.—The Council ordered no further to hold Plea upon the cause.

SALOP.—Upon the motion of Mr. Blundel being of council with Robert Sanders and Charles Wigley, gents. bailiffs of the town of Ludlow, and the residue of the aldermen and common councilmen of the said town against John Bradford, Henry Moreton, Thomas Blashfield, Simon Blashfield, Edw. Harris, John Sutton, William Lane, Wm. Comber, Thomas Butter, gent. William Glover, Richard Bowdler, John Cupper, R. Wilkes, R. Heyton, William Williams, Rd.

Bevan, Thomas Hiles, R. Whitcot, John Fan, Griffith Halt, Richard Watters, Thos. Dillow, Richard Cox, Henry Peers, John Voyle, Roger Cotton, Thomas Bowdler, Adam Nithingale, Thomas Spencer, John Posterne, John Peers, William Griffiths, John Clerk, John Crump, John Gregory Thomas Gregory, Thomas Bevan, Richard Cupper, Charles Clongonas, Rowl. Harding, Richard Browne, John Brazier, jun. Richd. Bowdler, William Sankye, Nichs. Skyrme, Robert Johnes, Thomas Griffiths, Humphry Young, Anthony Coates, William Bradshaw, Richard Clench, Richard Merrick, Edward Merrick, John Ward, William Bevan, R. Hill, John Cook, Rice Powell, R. Patchell, Edmond Maddox, and John Lewis informing this court that the said John Bradford and the rest of the persons last before named, contrary to a decree formerly made in this court on behalf of the bailiffs of the said town, have commenced suit before her Majesty's council in the Marches of Wales against the said bailiffs, touching the matters mentioned in the said decree in contempt of this court; it is therefore this day ordered by the court that an injunction shall be

awarded against the said John Bradford and others the said persons aforesaid, commanding them thereby to surcease their said suit in her Majesty's said court of marches against the said bailiffs and against the twelve and twenty-five of the common council of the said town of Ludlow; and it is also ordered that an attachment be awarded against the said John Bradford Henry Moreton, and the rest of the said persons before mentioned, to answer their said contempt in breach of the said decree, and this court is well pleased to write their letters to the said council requiring them no further to hold plea upon the said cause until further pleasure of this court shall be in that behalf known.

NO. VIII.

Copy of an Order for discharge of persons mentioned in last order, on their submission.

Trinity Term, 42 Queen Eliz.
Wednesday, 4th June, 1601.

On the part of the Queen's }
Remembrancer. }

SALOP.—Upon the motion of Mr. Blundel &c. (as in order on other side, for and con-

cerning the breach of several orders and decrees made in this honourable court by them and every of them, for which some of the said persons being attached by virtue of process out of this court for the same, and some others of the said defendants likewise by the same process should have been attached to answer their contempts, but that they absented themselves and could not be found, others that appeared have as well for themselves as for the rest of the said defendants afore named, humbly besought this court that this court would be pleased upon their submission in due form to be made to the now bailiffs of the said town, to be released of their said contempts, confessing themselves faulty, and publicly to conform themselves before the said bailiffs, and hereafter to be quiet and not to molest the said bailiffs nor their brethren with any sinister suits as heretofore they have done for and concerning the government of the said town, and other pretended abuses alledged by them already ordered and decreed by this court, upon consideration whereof this court hath remitted their said contempts so as their said

submission be done before the next assizes holden for the county of Salop, that if they shall make default, report may be thereof made to the Right Honourable Sir William Peryman, Knight, Lord Chief Baron of this court for further order by him therein to be taken, as it shall seem best to his lordship.

Ex. per me Thomas Fanshaw.

NO. IX.

Copy of a Town Order found amongst the old Writings over the Cross.

YE shall understand the ordinance made and granted by Richard late Duke of York, whose soul God save, and by the twelve and twenty-five of this town, that no manner craft make no foreign brother, but it be a man of this same town dwelling and occupy the same craft that he is made brother of, under payne of X.£. so as it plainly appeareth under the said Duke's seal and the common seal of the town, to be forfeit as ought times as it may be

proved. Also it is ordered by the said Duke and twelve and twenty-five that no burgess, chancel or resident were no lordes clothe nor gentlemen on pain of forfeiture of his burgesship, and he be burgess and all others to be at a fine after the discretion of the said twelve and twenty-five, and also their bodies to prison and there to abide the deliverance of the council of the said town.

Also it is ordered by the said Duke and council that no man within the town dwelling disobey no ordinance made by the twelve and twenty-five under the payne aforesaid.

Also the twelve and twenty-five have ordained that all manner men that be or hereafter shall be empanelled in any inquest of dette or trespass, detenue or covenant broke, that thei appear under pain of two-pence each of them the first day, the second day four-pence, the third day six-pence, and so every day to increase the amerciament two-pence 'till they appear, and it to be recevyd without any favour for ye debtors.

CASE AS TO BY-LAWS.

Easter, 11 William 3, K. B.

London City against Vanacker.

THE defendant was chose sheriff for London but refused, and thereupon an action was brought against him in the mayor's court and in the name of the corporation, for the fine of £.500 according to a by-law, and upon an *hab. corpus*, the whole matter was returned, and several customs and by-laws in London, several exceptions to by-laws set forth, and these references in margin to J. Jones 145. Moor 563. Godbolt 107, 1 Report 77. 2 Vent. 183, 248. Easter 121. Godb: pl. 126. Keilw. 116, 1 Roll Abr. 443. Dyer 240. Allen, 78. March 163, 187. Style 13, 124. Cro: Car: 497, 2 Roll, rep. 136 James against Tyntny, 1 Roll, Abr. 164, March 179. Sid: 115. Grotius de Jure Belli Hob, 256, 3 Leon 265. Moor 75. Raym. 446, 34 Hen. 6. 42 Regr. 131 132, admitted that every member of a corporation is bound to take notice of their by-laws. That it is not a question whether by-laws are reasonable or convenient if they do

not derogate from the prerogative, and are not directly against reason, it is sufficient if not contrary to the general law of the land. Asserted that every freeman of London is bound by the by-laws, and that a person by being made free subjects himself to the by-laws of the place. Holt, chief justice, delivering the opinion of the court the following term, said that the making by-laws is incident to every corporation aggregate, that every by-law by which the benefit of a corporation is advanced is a good by law. That by the acceptance of a charter every member is bound to the things incident thereto, as in benefit so likewise in charge. That it is necessary of common right that there be a coercive power in every corporation to compel their members to submit to their constitution. That every citizen is bound to take notice of by-laws of the corporation because they are virtually present, vide 24 Edw. 3. 19 H. 8. 6 H. 8. 6 Ed. 6. 13 Eliz. Lit. Rept. 94 105 124. 3 Cro. 449. Sid. 281.

A member not dwelling in borough good cause to remove him, *Vaughan v. Lewis*, Carthew page 229, Chief Justice Holt's

opinion upon a clause in New Radnor Charter, declaring that no officer should remain in office within that borough longer than he and his family should inhabit within the borough. Holt said, clause was only declaratory of the common law, and that the not inhabiting within borough was a good cause to remove a member, but that it did not *ipso facto* determine his office without an actual removal.

Majority bind minority, and casting vote taken away, 33 Hen. 8, Ca. 27 and Burn's Eccle. Law 1 vol. p. 469 and preceding pages,

A TRANSLATION OF THE
GRANT of JORDAN of Ludford
OF COMMON PASTURE UPON
WHITCLIFFE

To Lord WALTER LACEY and the Burgesses
and Men of Ludlow, before 1241 when
said Lacey died.

BE it known unto the present and to come
that I Jordan of Ludford have given
and granted and by this present writing
have confirmed unto Lord Walter Lacey
and to all the burgesses and men of Ludlow
my Common Pasture upon Whitcliffe, that
is to say, as the dingle stretcheth from the
town of Ludlow into the woods as much as
I have, and so far as it consisteth as well in
rough as in smooth. I have also granted
unto them free egress and regress through
the same pastures unto other lands where
they please, so that all the said lands be to
them common in pasture between the said
dingle unto the water of Temd, to have
and to hold to them and their heirs of me
and my heirs frankly and freely as their
predecessors had and more liberally and

more freely than at any time they have had, for which grant and pasture the aforesaid Walter Lacey and the burgesses of Ludlow have granted unto me and my heirs and to all the men of my household freely to buy and sell in the town of Ludlow in fairs and out of fairs without any custom given. They have also given to me one hundred shillings for the same grant to be confirmed. And I the aforesaid Jordan and my heirs to them and their heirs against all men do warrant and defend the same gift for ever, and confirm it with my seal, these being witness Lord Roger Mortimer, Thomas Salaway, Henry Mortimer, Sampson le Prior, Peter Gross, and others.

A TRANSLATION OF THE
ABBOT OF GLOUCESTER'S GRANT
OF COMMON PASTURE
UPON WHITCLIFFE
TO THE
BURGESSES of LUDLOW.

BE it known to the present and to come, that I Henry by the grace of God Abbot, and the Convent of St. Peter's, Gloucester,

have granted to the burgesses of Ludlow and to their heirs, Common in our Pastures of Whitcliffe which appertaineth to our Priory of Bromfield for their proper cattle, from the ditch of Jordan of Ludford unto the arable land of Halton, and from the woods of the same priory unto the water called Temd, for four pounds of wax yearly at the Vigil of the Nativity of the blessed Mary at Bromfield to light the church (for all services to be paid) saving to the prior and monks of Bromfield their stone quarries in the aforesaid pastures as they have had fully and quietly. And also for this our grant the burgesses of Ludlow have granted to us that when and as long as they or their heirs shall have the town and markets of Ludlow to farm of the lord thereof or of any other whatsoever, our prior and monks of Bromfield and their tenants shall be for ever free in the town of Ludlow of all tolls and customs in fairs and markets of all those things which for their proper use they shall buy or sell, unless any of them shall be merchants. In testimony whereof, first written after the manner of a chirograph, we have given the one part

thereof with the seal of our church, and the aforesaid burgesses have given the other part thereof with the common seal of the above burgesses, corroborated by the keeping of each of us. These being witnesses, Master John de Hay, Mr. Robt. Culme, Mr. Walter our clerk, Jordan of Ludford, John Carbonell, Hugh his brother, Robert de Sutton, Robert de Brell his brother, Walter de More, and many others.

In or soon after the year 1793, about seventy-eight acres of the common pasture of Whitcliffe were inclosed as directed by an Act of Parliament, 33 Geo. III. for defraying the expenses of paving, improving, lighting and watching the town of Ludlow; two portions whereof were then sold to Edward Lord Clive, and Nicholas Lechmere Charlton, esqr. and in the year 1820, all the remaining part of the said seventy-eight acres was sold to the Hon. Robert Henry Clive, and Edmund Lechmere Charlton, esquire; but it is understood the principal money arising from such sale cannot be used for the purposes of the said act; the provisions thereof directing "*rents*" only of the lands or tenements, vested in the commissioners, shall be applied for defraying the expenses of paving, lighting, and watching the town.

In the month of February, 1821, a Bill was brought into parliament for amending and enlarging the powers of said act, for inclosing and selling to *two persons only*, mentioned

in the bill, about fifty-two acres of the common of Whitcliffe remaining open, and for lighting the town with gas and laying and perpetuating rates upon the inhabitants for supporting the same. Upon which, near six hundred of the inhabitant householders petitioned parliament that such bill might not pass into a law; setting forth, in their petition, the advantages and utility of the open common as healthful and convenient exercise ground on foot and horseback, and for feeding sheep; and also illustrating the extensive rich, beautiful and grand landscape scenery enjoyed by all who visit this elevated and elegant walk in the vicinage of one of the neatest towns in the British dominions.

The bill having been read a first time in the House of Commons, a meeting of the inhabitants was convened by the promoters of the same, and holden on the 6th day of April following, to consider its clauses and provisions, when several hundred inhabitant householders voted against the bill being so considered; and the following day near six hundred signed a declaration of dissent to the further prosecution of the same in parliament; which caused it to be abandoned.

These manly and spirited exertions of the inhabitants reflect the highest honour on themselves, and will obtain from their posterity the proudest glory, inasmuch as the said bill was brought into parliament without the inhabitants being previously consulted thereon, or knowing any thing of its clauses or provisions !!!

At the said meeting it was asserted that, according to the terms of the preceding grants of Jordan of Ludford and the Abbot of Gloucester, Whitcliffe common *is not a waste*; that the fee simple of the same is vested in the inhabitants of Ludlow, and that no part thereof belongs to the lords of the manors of Bromfield and Ludford.

A
MIRROR
FOR THE
MEN of LUDLOW,
IN WHICH THEIR
RIGHTS AND PRIVILEGES
ARE ILLUSTRATED;
WITH
PARLIAMENTARY PROCEEDINGS

ON
Controverted Elections, shewing in whom the Right of
Election is vested.

TO WHICH ARE ADDED THE
ORIGIN, LAW, AND CUSTOM OF TOLLS.

AN ACCOUNT OF
Charitable Foundations.

THREE ANCIENT
DESCRIPTIONS OF LUDLOW.
RELIGIOUS and MERCHANT GUILDS DESCRIBED.

COPIES OF
Magna Charta,
BILL OF RIGHTS, HABEAS CORPUS,
AND THE ACT OF SETTLEMENT,
WHICH FORM THE
Basis of the English Constitution.

AND GRANVILLE SHARP'S ESSAY ON THE ANCIENT
RIGHT OF ELECTION.

“Ye shall know the truth, and the truth shall make you free.”

“Jove fix'd it certain that whatever day
“Made *Man a Slave*, took half his worth away.”

MIRROR

FOR THE

PRINTER OF PARLIAMENTS

IN WHICH

RIGHTS AND PRIVILEGES

ARE ILLUSTRATED

WITH

PARLIAMENTARY PROCEEDINGS

OF THE HOUSE OF COMMONS

IN THE YEAR 1834

TO WHICH ARE ADDED

ORIGIN, LAW, AND CUSTOM OF TOLLS

AN ACCOUNT OF

CHARITABLE FOUNDATIONS

THREE VOLUMES

ILLUSTRATIONS OF A DEDUCTION

OF THE RIGHTS AND PRIVILEGES OF PARLIAMENTS

OF THE

HOUSE OF COMMONS

WILL OF RIGHTS, HABEAS CORPUS

AND THE ACT OF SETTLEMENT

WHICH FORM THE

BASES OF THE ENGLISH CONSTITUTION

AND CIRCUMSTANCES SHARPLY SET FORTH THE

RIGHTS OF PARLIAMENTS

THESE RIGHTS ARE THE

RIGHTS OF THE PEOPLE

A MIRROR

FOR THE

MEN of LUDLOW.

ON NAMING A CORPORATION.

JUDGE BLACKSTONE says, "When a Corporation is erected, a name must be given to it, and by that name alone it must sue, and be sued, and do all legal acts; though a very minute variation therein is not material. Such name is the very being of its constitution; and though it is the will of the King that erects the corporation, yet the name is the knot of its combination, without which it could not perform its corporate functions."

K k

DEFINITION

OF THE

NAME

OF THE

Corporation of Ludlow,

DISTINGUISHED AS

Bailiffs, Burgesses, and Commonalty:

1. BAILIFFS, in a Corporation, are Head Officers of such body.
2. BURGESSES, are Inhabitants and Freemen of Boroughs.
3. COMMONALTY, in its proper and general acceptation, comprehends the Inhabitants.

Hence the Name of the Corporation embraces the Bailiffs, the Aldermen, the Common Counsellors, the Common Burgesses, and the Inhabitant Householdors paying Scot and Lot.

ORIGIN OF THE TERM**"BURGESSES."**

IN the eleventh century it was the practice of the Kings of England, Scotland, and France, to grant Charters to the Trading Inhabitants of Burghs, (now called Boroughs or Towns), granting them liberty to *buy* and *sell freely* without disturbance within the liberty of their respective burghs only, and a liberty from paying toll, pontage, passage-money, lastage, stallage, &c. in the markets and fairs of the burghs; and for these things the burghs were called "*Free-Burghs*," and the Trading Inhabitants of them "*Free Burgesses*;" of which the charters of those times bear ample evidence: so that here we see it was *resident traders* in boroughs who *first* obtained the name of "Burgesses," and that the King's charter added thereto the word "*Free*," which constituted the term "*Free-Burgesses*."

Hence as TRADESMEN in general were the burgesses, they of course being house-

holders, were all of them electors of Representatives to Parliament, until the elective franchise in *counties* was curtailed by an Act of Parliament passed in the eighth year of the reign of King Henry the Sixth, confining that right to freeholders of forty shillings a year and upwards. Prior to which, *every man* (not being a villein or bondman) had a right, agreeably to the principles of the constitution, to vote at elections of members to serve his county in parliament; therefore, the act we have noticed, was the first real stab to the political liberty of Englishmen; and it came not from the Crown, (the King being an infant not eight years old) but from *Parliament*; and it at one stroke cut off more than nine-tenths of the people from the enjoyment of the sacred right of election.

The preamble of the recited act of King Henry the Sixth, sets forth that "Whereas the
" elections of Knights of the Shires to come
" to the parliaments of our Lord the King in
" many counties of the realm of England,
" have now of late been made by very
" great, outrageous, and excessive numbers

" of people dwelling within the same coun-
" ties of the realm of England, of which
" most part was of people of small substance
" and of no value, whereof every of them
" pretended a voice equivalent, as to such
" elections to be made, with the most worthy
" Knights and Esquires dwelling within the
" same counties, whereby man-slaughter,
" riots, batteries and divisions among the
" gentlemen and other people of the same
" counties *shall very likely rise and be*, unless
" convenient and due remedy be provided
" in this behalf: our Lord the King con-
" sidering the premises, hath provided,
" ordained, and established by authority
" of this present parliament, &c.

By this preamble it appears that not only the right of suffrage was claimed, but in full exercise, by the whole of the householders in England; and it evidently created an insidious distinction that did not before exist between the people and the knights and esquires, whom it professes to invest exclusively with a privilege which immemorially had been the natural and constitutional right of the whole nation.

It is also worthy of the reader's remark that this preamble does not state that riots, batteries, and divisions had ever happened, or presumes to recite one solitary instance of outrage; but merely anticipatory of such events was this first infringement of the liberty of election, by vesting the exclusive privilege of voting in freeholders, to the deprivation of the rights of the householders at large.

It seems to have been the intention of the legislature, in enacting this law, "to alter the constitutional usage and custom of the kingdom with respect to elections for the shires. It gave no right to freeholders of forty shillings a year which they did not previously possess as householders, but excluded those of the latter description, thereby disfranchising nine-tenths of the electors in every county in England, and the whole body of householders in each respective county."

Prior to the making of this law, it was the custom for boroughs to send burgesses to parliament, and in those times the inhabitants

of boroughs contributed to pay their representatives two shillings per day during their attendance on parliamentary duties; and at a later period four shillings, until other methods of rewarding these services were discovered.

History tells us the trafficking system in boroughs prevailed in the reign of Henry the Sixth, as it is shewn that the mayor and magistrates of the town of Dover, either with the consent or connivance of the constable of the castle (the latter having the return of the writ of election) entered into an agreement with the mayor and jurats of Feversham, that for forty shillings annually paid to them, they should once in three or four years, name a person to represent them in parliament. This is a striking instance that the sending of members to parliament was not valued then as it is at present, since it could be purchased at such an easy rate. Hence it would appear that the disfranchising act laid the foundation stone of corruption, and gave birth to those unfair restrictions on the right of election in BOROUGHs which were

subsequently consummated by usurpation and abuses of corporate bodies.

The Bill passed in the reign of King William for making Parliaments *triennial*, and the Act of Geo. I. for making Parliaments *septennial*, were further inroads upon the elective franchise, in suspending the political liberty of the whole nation "by six parts in seven of human life." The original and constitutional parliaments being annual only.

Antecedent to the date of the charter of King Edward the Fourth, Ludlow had not been summoned to send burgesses to parliament except in conjunction with the hundred or the county; and yet its *inhabitants* had been called *burgesses* in charters, grants, and other records, for several hundred years before that period. It is to be seen in parliamentary records that the word "burgesses" is not necessarily a term of incorporation; and that very many places send members to parliament where no corporation does or ever has existed.

In inquiring into what construction the House of Commons have put upon the term "*burgesses*," it appears that, in many cases of controverted election, resolutions of that house have declared it to mean the *inhabitants of boroughs*, which may be seen on the journals of parliament. And the following ancient authorities also corroborate the same viz. Spelman's Glossary title "*Burgenses*;" Whitelock's Commentary, vol 1. p. 500, vol 1. p. 95; and Maddox's Firma Burgi, p. 2 No. 111.

On an appeal to the House of Commons from Abingdon, whether the word *burgesses*, mentioned in the charter, was to be understood as meaning the whole *inhabitants* of the town, or only the corporation? It was resolved by the committee, that the word "*burgesses*" extended to the inhabitants at large within the borough.

"This is one of the few boroughs over which aristocratical influence or corruption has not yet been able to extend its controul, a circumstance which is owing most probably to the two following causes: first, the borough sending only one represen-

tative, has only *half* the temptation for an *opulent neighbour* to enslave it; and secondly, the freedom of its elective constitution, which seems thus to defy all arbitrary encroachment. For though it was char- so late as Philip and Mary, and its corporation and representative power vested in the select body, yet, by the exertions of its inhabitants, they have not only obtained the constitutional right of electing the members by the *inhabitants at large*, but likewise of electing their mayor and magistrates, which is the only security of their independence, and which a self-devoted corporation would have long since subverted."

The reign of William and Mary was remarkable for the liberality manifested in the summonses issued for chusing burgesses for parliament, which directed the elections to be made by such persons only, as according to the ANCIENT LAWS and customs of right ought to *chuse* members of parliament. These instructions may be seen on the Journals of Parliament vol 10, p. 7 and 8. and the inhabitant householders, in many

places, voted in the elections of that time, but some of them have since been restricted by contradictory resolutions of committees of the House of Commons on controverted elections

The common of Whitcliffe, in pursuance of the aforesaid grants, had been used as pasture land by the inhabitants of Ludlow until the year 1793, when a certain portion thereof was, with the consent of the *inhabitant householders*, inclosed under an act of parliament passed in that year, which recognizes their right by construing the grant of Jordan of Ludford "*To the Burgesses and Men*," to mean "*The Burgesses and Inhabitant Householders*;" in whom the right of common was then vested.

Having already shewn that the term "burgesses," in its ancient and genuine acceptation meant *traders* and *inhabitant householders*; we shall next observe, that as the present inhabitant householders of Ludlow contribute largely to the support of the State, and are, by *Magna Charta*, guaranteed from *taxation* without represent-

ation, they are not asking too much in requiring a restoration of their rights and privileges *as burgesses*, as heretofore for centuries enjoyed by their ancestors. Men governed contrary to the principles of the constitution are little else than slaves, and leads to the gloomy conclusion that a feudal state of vassalage awaits their descendants!

It appears monstrous that a man who has large copyhold or leasehold estates, or one who has a valuable stock as a merchant, trader, or farmer should be deprived of his elective franchise because he does not happen to possess a *freehold of forty shillings per annum, or be married to the daughter of a corporator*, still such is the case in counties, close, and rotten boroughs. A man so circumstanced is virtually unrepresented in the legislature, and in fact, politically dead, as being robbed of his legitimate rights.

The constitution of England was framed for the general benefit of the people as ema-

nating from them: And the Earl of Abington justly remarks that "In the great machine of state, there are found three principal powers, &c. The first of these principal powers is the power of the PEOPLE; the second, the power of the CONSTITUTION; the third the power of the LAW. Now the power of the people is *first*, because without people there could be neither constitution nor law. The power of the constitution is *second*, for it is the immediate effect of the first cause; and if the people and the constitution make the *first* and *second* power, there is no need to prove that the law is the *third* power of the state. It follows in the order I have laid down. As from the people then is derived the *constitution*, so from the constitution is derived the law; the *constitution* and the *law* being, in a due course of lineal consanguinity, the descendants of the people."

Hence it may be argued that the *constitution* being originally the work or institution of ALL the people, it is their birth right, and cannot without violence, be

altered or rescinded. The constitution gave the ELECTIVE RIGHT to ALL the people, therefore an abridgement of that right is a wrong to the people in the aggregate.

AN EXPLANATION
OF THE
TERM “COMMONALTY.”

THE JOURNALS of Parliament have been resorted to for information, in order to furnish a copious illustration of the true import of the term “COMMONALTY,” from which have been extracted the several following determinations upon controverted election petitions; and the same, in addition to local matter, it is presumed, will prove satisfactory to readers,

It appears COMMONALTY is a word which has been variously interpreted by committees of the House of Commons in determining cases upon controverted elections. It has sometimes been deemed to comprehend all the inhabitants; and at other the freemen at large.

By the peculiar name,* or particular

* The names of ancient charters in different boroughs varied much; some were Bailiffs and Commonalty. Some were Bailiffs and Burgesses. Some Commonalty only. Some Burgesses only.

wording of a charter, or by the peculiar way of constituting a corporation, *commonalty* may mean a restricted number; but from the manner in which this word is used in the charters of Ludlow, and as its meaning is connected with the general sentiments therein, the true import of the term may be construed to comprehend the whole body of the inhabitants of the borough.

In a charter of Queen Elizabeth to the borough of Helston, the freemen were to be elected out of the inhabitants, by the mayor, aldermen, and commonalty, or the major part of them: the aldermen, out of the freemen; and the mayor by the freemen out of two aldermen nominated by the mayor and aldermen. *Commonalty* in this borough, has been understood to mean FREEMEN ONLY, and there being no determination of the House of Commons respecting the right of voting, it has ever been assumed by the corporation.

“ In the same manner as we have seen the aristocracy improve every opportunity of limiting the rights of the people, or the

opulent and powerful few usurp the powers of the many, we see the little petty aristocracy of a mayor and four aldermen, in this borough, after limiting the extensive term *commonalty* to the meaning of *freemen only*, appropriate to themselves even the rights and privileges vested by the express words of the charter in the latter ; for almost ever since the charter of Elizabeth passed, the mayor and aldermen, notwithstanding the provision therein made, assumed to themselves, and exercised, the exclusive power of electing freemen, to the entire disfranchisement of the rest of the freemen and commonalty."

"This usurpation of privilege was attacked, in 1769, by two informations in the nature of *quo warranto*, exhibited in the court of king's bench against several persons of this borough, to know by what authority they were *freemen*, having been elected *without the concurrence of the commonalty*. The issue of these informations was not only fatal to the freemen so created, but finally to the corporation itself. The court of king's bench having pronounced

judgment of *ouster* against them, writs of error were brought in the house of lords against it, where it was determined "That the election of freemen could not be exercised by the mayor and aldermen, exclusively of the *commonalty*." The judgment of the king's bench was therefore confirmed.

July 4th, 1715, By a committee of the House of Commons. "Resolved, that the proceedings of the *mayor* and *common-council* of Haverfordwest, in making burgesses without the consent of the *commonalty*, were illegal and contrary to the rights of the said town; and that the burgesses so pretended to be made, have not thereby acquired any right of voting in future elections." Here we find the *commonalty* are the *householders* !

12th April, 4. C. I. 1628. The House of Commons. "Resolved, that the right of election for burgesses to serve in parliament for Boston, rests in the *commonalty*, and not in the mayor, aldermen, and *common-council*."

4. C. I. 1628. A committee of the House of Commons, Resolved, that the right of election of the borough of Warwick belonged to the *commonalty*, and not to the mayor and common council.

March 2nd, 1762. A committee of the House of Commons, Resolved, that the words "*commonalty in general*," extend *only* to *inhabitants* paying scot and lot.

Petition on a return for Chichester, May 21st, 1660. A committee reported that upon examination of the fact the question appeared to be, whether the free citizens alone, or the *commonalty* at large, ought to elect; and that thereupon the committee were of opinion, that the *commonalty* of the said borough, together with the free citizens, have a right of election, and that John Farrington, gent. is accordingly duly elected, and ought to sit; to which the House agreed.

Also reported from the said committee, that the mayor of this city had several ancient precedents offered unto him, to shew the *commonalty's* right to elect for

this city; and that the recorder of the said city offered him his advice therein; nevertheless the mayor refused to own the precedents, or hearken to the said advice.

Ordered, that the mayor be forthwith committed to the custody of the sergeant at arms attending this house.

The mayor was afterwards called to the bar of the house, and kneeling there, Mr. Speaker reprimanded him for wilful contempt, having *refused to admit the voices of the commonalty* to make election.

The above resolutions illustrate that the inhabitant householders, or otherwise the commonalty, in Chichester, have, as well as the citizen freemen, a right to elect; and is a distinguished proof that *commonalty* means inhabitant householders.

Decem. 1. 1710. In a disputed election for the borough of Ipswich, the chairman of the committee of the House of Commons proposed a resolution, "That the right of election is in the bailiffs, portmen, *commonalty*, and freemen at large; on which

the committee decided that the word *common-council* must be inserted instead of *commonalty*, because commonalty did not mean common-council.

In several charters granted to the town of Poole by Queen Elizabeth, King Charles the Second, and other monarchs, the word "*commonalty*" appears to mean *inhabitants*, because they were granted to, and at the request of, the inhabitants in general. And these charters also demonstrate that the *inhabitants* were *part* of the *corporation*, and that *commonalty* and *inhabitants* were terms indiscriminately used, as descriptive of the same persons.

Committees of the House of Commons have, in the controverted election cases of Colchester, Bridport, Pomfret and other places, determined that the word *commonalty* and *community* comprehend ALL the inhabitant householders. And it is a decided point with the House of Commons "That where there is no charter, nor resolution of the House to the contrary, the right of election is in the commonalty or

householders. This then admits the right to have been every where in the householders before it was limited by royal charters, and resolutions of parliamentary committees.

In the name and contexture of a charter of King James II. to the town of Ludlow, the *commonalty* were left out, which precluded all the common burgesses voting at elections of representatives for parliament, as is shewn by the petition of the "*Inhabitants*" to the House of Commons against a return of members for parliament under that charter in the year 1690; which charter was then made void by the House in consequence of the common burgesses being so excluded the exercise of the elective franchise; the mayor, aldermen, and common councilmen being alone vested with the power of electing the representatives. The petitioners in this case, being "*inhabitant householders*", shews they, as well as the corporation, did exercise the privilege of electors: and the determination of the House of Commons confirms this right to them.

By referring to page 213, it will be seen that in the reign of Henry VIII. in the year 1537, the BAILIFFS and COMMON-COUNCIL of Ludlow made complaint to the government that some of the *commonalty* of Ludlow demanded a share in the *election of the bailiffs*; and that an order was sent down from the king, directing the next election should go on as elections had done before that time; and stating that “any of the *commonalty* interrupting the election, should be called upon to answer for the same, for this time only, until further orders should be made therein by the Lord Chancellor.” But it is understood no copy or record of any such “further orders” by a Lord Chancellor has been met with.

This complaint being made in the name of “the bailiffs and common-council” against the *commonalty*, and not being a complaint of the twelve aldermen, or principal counsellors, against the twenty-five common counsellors, shews that the *commonalty* ARE NOT the common counsellors. As it may be supposed that if the twenty-five common counsellors had been the offenders

and were really the commonalty, then the complaint would have been made in the name of the aldermen against the common counsellors, or against individual members. And hence we may conclude the commonalty complained of, were *part of the inhabitant householders*.

The King, in his letter, says the complaint was from the bailiffs and common council: And therefore by referring to the charters of Queen Elizabeth and others, it will be seen the twelve aldermen with the twenty-five common counsellors are clearly designated "THE COMMON COUNCIL OF THE TOWN."

Then, as the thirty-seven corporators are thus disposed of,—where are we to look for those who compose the *Commonalty*? DOUBTLESS, TO THE INHABITANT HOUSEHOLDERS!

REVIEW

OF THE

CORPORATE RIGHTS.

KING EDWARD the Fourth, in granting a charter to the town of Ludlow, signifies that he had received great *military* services from the *burgesses* of Ludlow, and in return for such, was desirous to promote the welfare of the town and of the *burgesses* and inhabitants therein; and therefore granted that the town should be a free borough for ever, and incorporated by the name of “the “Bailiffs, Burgesses, and Commonalty.”

Considering the broad and plain meaning of the terms “burgesses, and commonalty,” as before illustrated, we may infer that King Edward INCORPORATED THE WHOLE OF THE HOUSEHOLDERS in the town. Therefore, according to the constitution of the corporation, the twelve aldermen and the twenty-five common counsellors were chosen by the inhabitants; and, by the charter, vested with power and authority

for protecting the persons, property, rights, and privileges of the inhabitants a large.

The corporation, of late years, having exercised a *discretionary* power in admitting the *commonalty* to be sworn burgesses ; leads to the conclusion that they consider the rights and privileges of the borough may be vacated or abridged at their will and pleasure ; a deduction not only questionable, but absolutely unwarrantable, as not borne out by a fair interpretation of the charters.

Although it would be ridiculous to suppose King Edward meant the favour of his charter should extend to *thirty-seven* men alone, who were the executive part of the corporation, for services rendered in the field in the conflicts between the houses of York and Lancaster in and near Ludlow ;* still it is fair to infer that as battles were fought and won by the *inhabitants of the*

* In the parliament held 38th King Henry VI. it was enacted that all letters patent, and grants of any office to any person in opposition to the King, in the battle of Ludlow, shall be void.

town in common, that King Edward's charter was a recognition of, and reward for those services.

The charter of Queen Elizabeth to the town, explaining of and amending that of King Edward the Fourth, speaks of "twelve and twenty-five *burgesses* and *inhabitants within the town*," and directs the twelve shall be called aldermen or principal counsellors of the town, and the twenty-five to be called the common counsellors of the town, and the said twelve and twenty-five together, to be called "the Common Council of the Town."

The expressions in this charter, appointing the common council, are very comprehensive, viz. "*burgesses and inhabitants within the town or borough*;" demonstrating that ALL MEMBERS OF THE CORPORATION SHOULD BE INHABITANTS OF THE TOWN.

Hence we find the charters provide that vacancies in the corporation should be filled up from the BURGESSES AND INHABITANTS, yet it appears, for a considerable number of years past, nearly two-

thirds of the persons nominated to fill up those vacancies have been *non-resident*, and many of them a considerable distance from the town. How far selecting *strangers* to discharge corporate duties is consistent with the charters, the following clause will shew.

In the sixteenth clause of the charter of Charles I. is the following passage, viz.
“ And further we will, and by these presents
“ for us, our heirs and successors, do grant
“ to the aforesaid bailiffs, burgesses, and
“ commonalty of the town or borough of
“ Ludlow aforesaid, and their successors,
“ that if it shall happen the bailiffs of the
“ borough aforesaid for the time being, or
“ either of them to fall sick in such sort
“ or by infirmity to be hindered so that he
“ or they are not able conveniently to
“ attend the business of the borough afore-
“ said ; *or he or they are gone out of the said*
“ *borough*, for any reasonable excuse, *by the*
“ *license of the common council* of the borough
“ aforesaid, or the major part of them for
“ the time being, that then and so often it
“ shall and may be lawful for the said
“ bailiffs, or either of them, for the time

“ being, respectively in writing to make
“ and constitute one other or two others
“ of the common council of the town or
“ borough aforesaid who before them have
“ or hath been bailiff or bailiffs of the
“ borough aforesaid, to be or remain deputy
“ or deputies of such bailiff or bailiffs of the
“ borough aforesaid so sick or infirm, or for
“ reasonable cause so as aforesaid allowed,
“ to be continued in office during the
“ absence, sickness, or infirmity of such
“ bailiff or bailiffs of the borough aforesaid
“ for the time being.”

The above extract manifests that the members of the corporation were to be RESIDENTS ONLY.

In the third clause of King William and Queen Mary's charter is the following sentence, viz. “ That the *burgesses* and
“ *inhabitants* of the town or borough of
“ Ludlow, in the county of Salop, from
“ henceforth for ever shall be and continue
“ one body corporate and politick by the
“ name of bailiffs, burgesses, and common-
“ alty of the town or borough of Ludlow,
“ in the county of Salop.”

Hence, indisputably, the INHABITANTS of Ludlow are comprised in the constitution of the corporation.

The charter of King William and Queen Mary was the LAST granted to Ludlow, and by it all ancient rights, privileges, and immunities were restored, and the *ambiguity* of the preceding charters removed as to *the right of the inhabitants generally to compose or fill up vacancies in the corporation.*

In the fourth clause of the recited charter of William and Mary, one of the causes of casual vacancy in the corporation is stated "*absence.*" This also further shews that RESIDENCE is requisite. And there is a case, as to residence, decided in the Court of King's Bench, *Vaughan v. Lewis.* (see page 240 of this book.)

In the book of Deuteronomy examples of scripture shew that all magistrates and governors proceeded from the people. The children of Israel are commanded to make judges and officers in their respective tribes. And 'tis said to them, "*One*

“from amongst thy brethren shalt thou set over thee; thou may'st not set a stranger over thee.”

Hence we see that in the infant period of the world, it was the wise custom and policy of each tribe of the Jews to chuse the officers and magistrates *from amongst themselves*; and that the children of Israel were indignant at having *strangers* to govern them, or to administer justice. Assimilating the community of a borough to one of these tribes, we have scriptural authority for sanctioning a condemnation of the usurpation practiced by chusing *strangers* to be magistrates and officers in a corporation.

The injurious consequence resulting to the householders of Ludlow from irregularity in filling up vacancies in the corporation, is, that they and their children are deprived the privilege of exercising their elective franchise. For, in case that body had been constantly supplied from the inhabitants, there would now be *three hundred electors*, instead of the inconsiderable few who vote on the election of members to represent the borough in parliament.

To enumerate the grievances of which the inhabitants have just reason to complain would be tedious, but one fact must not escape notice, viz. That the *Non-resident* corporators, during the time they enjoy the office of bailiffs, receive certain profits designated "bailiff's rents," which they expend at their *distant* homes; *thereby* depriving the town of a revenue that is vested in the inhabitants generally.

In the charter of Richard Duke of York, it is directed that twelve and twenty-five should be chosen out of the burgesses for governing the town, and that "*all other burgesses*" should obey those thirty-seven; which leads to the inference, that in the days of Richard Duke of York, the GREATER PART of the inhabitant householders were ENROLLED BURGESSES. And also in No. VII. of the decretal orders of the court of exchequer, (see page 233) it will be found that sixty-one of the resident common burgesses were engaged in a suit with the corporation; which demonstrates the burgesses were at that time much more numerous than they have been known in later

years; and affords a strong presumption that the privileges of the inhabitants of the borough have been abridged.

The present number of resident burgesses (May 1821) is

Corporators	- - - - -	14
Common Burgesses, Housekeepers		11
Common Burgesses, being Inmates and Lodgers	- - - - -	11
		—
	Total	36

The population of the town about 4,200

It was not the intention of our ancestors who framed the old English constitution, to allow any man, or a small number of men, a right of sending members to parliament by his or their own influence or authority, in derogation of the rights of the many. For it appears to have been a material consideration with them that the people should not virtually but *actually grant their own money*; which is evinced by the elective franchise being anciently distributed with tolerable fairness. A great portion of the

people being divested of their right to send delegates to parliament, are submitting to public demands imposed without their consent; and are thereby provoked to, and do, feel and treat taxation as a grievance: whereas if, as formerly, the mass of the householders were to partake in the actual representation of the nation, the legislature might obtain more general and cordial concurrence of the people.

Representative History

OF THE

BOROUGH of LUDLOW.

THIS borough was first summoned to send members to parliament in the twelfth year of the reign of King Edward IV. and the charter giving this privilege is dated in the first year of his reign.

All royal charters before the time of Edward IV. were limited to the trade and government of the place.

PETITIONS, &c.

Nov. 12, 1597. Sir George Moore, reported that the difference of the returns for this borough arose from the sheriff directing his precept to the bailiff in the

singular number, whereas it should have been to the bailiffs in the *plural*.

The House divided upon, Whether the sheriff might through haste, or want of experience, run into error, ought to be punished, or the town, which had (as might be well concluded) wilfully made use of this error.

No report appears.

April 4, 1614. Mr. Fuller reported that by general consent Mr. Berry, bailiff of Ludlow, who has returned himself, should be removed.

Resolved, unanimously, "That he should be removed principally because he has openly confessed he was bailiff, &c.

Mr. Ashley moved, Whether any mayor or bailiff who returns himself may serve as a member of this house?

Another question arose, Whether all mayors and bailiffs who are in Berry's case shall be removed?

Resolved in the affirmative.

Feb. 26, 1661. Sergeant Charleton reported, that the committee had considered of the petition of Samuel Baldwin, esq. against Sergeant Littleton, and the question was touching the manner of summons, and whether the right of election was in a select number of twelve aldermen and twenty-five others of the common council, or in them and all the *common burgesses resident* in the town? And the committee were of opinion, "That the summons being in the usual form was good, and that all the common burgesses resident within the 12th and 25th had the right of election;" also that Sergeant Littleton, was duly elected.

To which the House agreed.

March 24, 1689. A petition of Fitton Gerrard and Francis Lloyd, esqs. shewing that this town, being a borough, was incorporated by Edward IV. *anno* 1. and the late chancellor Jeffreys, when chief justice of Chester, extorted a surrender from the said town of all its powers of electing bailiffs, aldermen and all other subordinate officers, down to the very attorneys of the town

court, which surrender was acknowledged and enrolled by one Cole, as head bailiff of the town, although he was then out of office, and another sworn in his place, whereupon the late King James incorporated the said town, by the name of the mayor, aldermen, and common councilmen, (whereas it was before incorporated by the name of bailiffs, burgesses, and *commonalty*,) with a reservation to remove such officers at pleasure, &c. &c. The petitioners also complained of the illegal return of Thomas Hanmer and William Gower, esqrs.

October 6, 1690. Another petition from the same against the same return.

Oct. 14. A petition of the INHABITANTS of this borough, complaining of an undue election of burgesses to serve in parliament for this borough.

Dec. 22. Mr. Gray reported that the borough of Ludlow is a very ancient corporation, and was incorporated by Edward IV. by the name of the bailiffs, burgesses, and *commonalty*, with a grant, *burgensibus*

villæ de Ludlow, to send members to parliament: that this corporation being served with a *quo warranto*, did, on the 27th of October, 36 Car. II. make surrender of their franchise; and that afterwards the late King James granted to the said borough a new charter, which constituted a mayor, and therein names their first officers, and appoints the election of officers, and particularly of burgesses to parliament to be elected by the mayor, aldermen and common councilmen, reserving to the said king a power by any order or direction signified to the lord president of the council of Wales, to remove any of the officers named in the charter, or thereafter to be elected, and so often as the lord president should deem fit. In execution of this power King James did, on the 11th of November, 1688, under his sign manual, require the lord president to remove and displace all the officers, that the corporation might be dissolved, and that one Sullivan and others carried this writing to the Duke of Beaufort the then lord president.

Upon the whole the committee resolved,

“ That the new charter granted to this borough by the late King James, whereby the *ancient method* of electing burgesses for parliament is altered, is illegal and void.

“ That Fitton, Gerrard, Francis Lloyd, Thomas Hanmer, and William Gower, esqrs. are not duly elected.”

To which resolutions (being read twice) the House agreed, and a new writ was ordered.

Oct. 22, 1691. A petition of Thomas Hanmer and William Gower, esqrs. against the return of Colonel Titus and Francis Lloyd, esqrs.

Resolved, “ That Silas Titus and Francis Lloyd, esqrs. are duly elected.”

Nov. 22, 1695. A petition of Francis Lloyd, esq. complaining of an undue election and return for this borough.

Jan. 16, 1696. Petition withdrawn.

Dec. 12, 1698. A petition of the Hon. Thomas Newport, and one from Thomas

Farmer, and other burgesses against the return of William Gower, esq.

March 1, 1699. Sir Rowland Gwyn reported, that the first question was, Whether the sons of burgesses, or such as married burgesses' daughters, had right to be made burgesses? And the second question was, Whether the petitions of such persons, so claiming, ought to be signed by the petitioners?

The committee resolved,

“ That the sons of burgesses of this borough, and those who marry the daughters of burgesses, have a right to be made burgesses of this borough.”

“ That every person having a right to be made a burgess of this borough, *ought to demand such his right by petition*, signed by the petitioner according to the by-law made in 1663, and not otherwise.

“ That William Gower, esq. is duly elected a burgess to serve in parliament for this borough.”

P p

The first and second resolutions being read twice, were agreed to by the House, but the third was disagreed to; and

Resolved; "That Thomas Newport, esq. is duly elected a burgess to serve in parliament for this borough."

Jan. 3, 1701. A petition of William Gower, esq. against the return of Francis Herbert, esq. by means of bribery, corruption, and other illegal practices.

No decision.

May 29, 1715. A petition of Acton Baldwin, esq. against the return of Francis Herbert and Humphry Walcot, esqrs. by means of bribery, &c. &c.

Feb. 1, 1716. Petition withdrawn.

The Editor of this book has searched the Parliamentary History, and caused a minute examination to be made in the Journals of the House of Commons, to ascertain whether any petition from this borough was presented and entertained by the House in or since the year

1727, and finds there has not. This he has done with a view to discover whether the afore-said determinations of the House in the years 1661 and 1690, as to the right of election being in the RESIDENT COMMON BURGESSES, have been rescinded by any subsequent resolution of a committee.

RIGHT OF ELECTION.

In the years 1661 and 1690, it was determined by the House of Commons, that the right of election in the borough of Ludlow *is in all the resident common burgesses*, as well as the twelve and twenty-five.

In 1698, That the sons of burgesses of Ludlow, and those that marry the daughters of burgesses, have a right to be made burgesses of the said borough.

And that every person having a right to be made a burgess of the borough of Ludlow, ought to demand such his right by petition, signed by the petitioner, according to the by-law made in the year 1663, and not otherwise.

NUMBER of RESIDENT VOTERS - - - - 36

RETURNING OFFICERS — The two Bailiffs.

The last contested election in this borough was in the year 1727.

“COMMON BURGESSES.”

It is probable the term “common burgesses” had its origin in Ludlow from the *thirty-seven* common councilmen being called “*principal burgesses*,” and the other inhabitants “*common burgesses*;” thereby distinguishing those inhabitants who were TO GOVERN from THE GOVERNED.

LAW REPEALED.

By an Act of Parliament 2 Geo. II. c. 24 s. 4. passed in the year 1727, it is enacted that the last determination of the House of Commons on the right of voters, shall be legal in future in any county, city, or borough. But in a subsequent act, 28 Geo. III. the said clause in the act of 2 Geo. II. c. 24 is REPEALED in as far only as relating to any determination of the House of Commons subsequent to passing the said act 28 Geo. III.

GUILDA MERCATORUM.

Guilds are of very ancient institution; and the origin and purpose of them not being generally known, an explanation thereof may be deemed interesting to persons in the trading part of the community.

In doomsday-book it appears that in the reigns of Edward the Confessor and William the Conqueror, the *burgesses* or otherwise *tradesmen* in the towns, had in those times their patrons, under whose protection they traded, and to them paid acknowledgment. They then traded not as being in any merchant guild, but merely under the liberty and protection given them by their neighbouring lords and patrons, who probably had power from the king to license a certain number in a trading town. The following ordinance

made by the Conqueror for the bishop of London, seems to corroborate the assertion of this practice existing in those days:

“ William the King greets William the
“ bishop, and Godfrey the portreve, and
“ all the burgesses, or rather the inhabitants
“ of the burgh, within London, French and
“ English friendly. And I declare to you
“ that I will that you be all law-worthy as
“ ye were in King Edward’s days; and I
“ will that each *child* be his father’s heir
“ after his father’s days. And I will not
“ that any man command any wrong to be
“ done to you. God you hold or keep.”

The burgesses or traders in burghs or towns remained in this servile state until subsequent charters, laid the foundation of merchant or trading guilds, communities, or societies in burghs, and gave them free liberty of trade, without paying toll or custom any where.

It appears the kings erected these guilds in order to free the burgesses or

traders from the insolences and overgrown dominion of the lords over them, and in consequence, they became liable to be called forth to serve in the king's armies. So that in each burgh or town there was established a *guilda mercatorum* or merchant's guild, being trading societies or companies of *buyers* and *sellers*, who had rules and laws for the government of their members.

In the reigns of Henry III. and Edward I. the charters for protecting the traders or *free burgesses*, were granted in consideration of their contributing to a tax called "*tallage*," towards the necessities of the church.

The charter of Edward the Fourth to Ludlow, provides "That the burgesses shall
" have a *guilda mercatorum*, with a company
" of merchants, and other customs and
" liberties to the guild aforesaid appertain-
" ing, and that no person who shall not
" be of that guild shall transact any
" merchandize in the town aforesaid, or
" the suburbs of the same, except by the
" license of and consent of the same bur-
" gesses, their heirs and successors."

Also it appears by the recited charter, that a trader who lived in the town a year and a day, being a member of the guild, paid scot and lot, and was without claims of his lord, would afterwards remain free.*

A *guilda mercatorum* has not been known in Ludlow in the memory of any one living, and probably not in the last two centuries. But here are several companies or societies of traders who hold annual meetings; keep registers of the names of their members, and have pews appropriated to their use in the church; yet the members, as such, are not allowed to exercise the political

* An ancient work published in the year 1641, explains the meaning of this passage to be, that a *bondman* or *villein* being admitted into a *guild* in a privileged town, and remained there one year and a day, he was then delivered from *villinage* and made a *freeman*.

Villein or *bondman* was one whom the lord of the manor might put out of his lands, tenements, goods and chattels, at pleasure; and also might take redemption of, to marry his daughter, and to make him free. The law respecting such, stands yet unrepealed; but is grown so obsolete that there are not in England any such slaves.

privileges of "*burgesses*;" and therefore, as respects political rights, they appear little else than *shadows*, without a substance.

Amongst the records of the city of Worcester, it appears the *gilda mercatorum* of that city received ordinances and articles from Edward the Fourth for regulating the swearing of burgesses; birth, servitude, and redemption giving the right of election there. Hence may be inferred, that as King Edward IV. was the zealous patron of the town of Ludlow, the *gilda mercatorum* he granted the inhabitants, possessed similar regulations to those at Worcester for swearing burgesses; and also history shews such regulations existed in many cities and boroughs, where, the traders being in these guilds, entitled them to the freedom of the corporation and the privilege of voting for members to serve in parliament: for instance,

At Carlisle, the CAPITAL BURGESSES are chosen by the aldermen OUT OF THE FREEMEN. There are likewise in the corporation eight trading companies or *guilds*, whose

privileges are prescriptive, namely, the merchants, tanners, skimmers, butchers, tailors, weavers, shoemakers, and smiths. Persons born the sons of freemen, or having served a regular apprenticeship to freemen, and having been admitted to the brotherhood of any of these guilds, are entitled to the freedom of the city, and the privilege of voting for the members to serve in parliament.

The ancient corporation of Chester was called a guild, and consisted of twenty-four companies of traders, over each presided an alderman, who was annually elected. There were two officers, called keepers of the guild, who admitted freemen, received customs, rents, and fees. Every freeman had a right to share in the choice of the principal officers of the corporation.

The common counsellors of the corporation of Durham are chosen from twelve incorporated trading companies. And here, persons acquire their freedom either by birth, servitude, or election into companies at certain *guilds* holden by these companies.

ON THE
OFFICE OF RECORDER,
AND
JURISDICTION OF THE COURT.

THE common meaning of the word **RECORDER** is understood to be a judicious person, for the most part **SKILLED IN THE LAW** of the land.

The office of recorder is to assist the mayor, bailiff, or any magistrate of any city or town corporate, having a court of record, in the execution of justice, and proceedings according to law.

Ludlow being one of those towns which are privileged to have their particular assizes within themselves, the recorder is the judge.

As many of the persons of whom civil corporations are composed, are not supposed to be skilled in the law, and they having to execute the office of magistrates,

the crown has, very wisely, appointed that courts of record in corporate boroughs shall have a recorder to superintend the administration of the law in all important points of civil jurisprudence. Hence in the charters of the town of Ludlow, the burgesses are empowered and directed to elect and appoint an **ABLE LAWYER LEARNED IN THE LAW OF THE LAND**, to be **RECORDER** of the town.

The **JURISDICTION** of the court at Ludlow is nearly the same as that of the court of quarter sessions for the county; the power is given to the latter by statute 34 Edw. III. c. 1. for trying and determining all felonies and trespasses whatsoever: though the justices there seldom, if ever, try any greater offence than small felonies within the benefit of clergy; their commission providing that if any case of difficulty arises, they shall not proceed to judgment but in the presence of one of the justices of the courts of King's Bench or Common Pleas, or one of the judges of assize. And therefore murders and other capital felonies, are usually remitted for a more solemn trial at the assizes.

REMARKS

ON THE

ORIGIN, LAW, AND CUSTOM

OF

TOLLS

IN GENERAL:

TO WHICH IS ADDED

The WORCESTER CASE

OF

TOLL TAKEN OF GRAIN

Not brought into the Market of that City,

WHICH WAS

Decided in the Court of Exchequer

IN THE YEAR 1812.

TOLLS.

The law or custom of taking tolls in markets is of great antiquity, the term originally was Tol or Theloneum, and its common acceptation was a *payment* for things bought and sold in the mercates, now called markets.

There are other sorts of tolls, one anciently called *passagium* or *bridtol*, meaning money paid by passengers at bridges, gates, &c. in later times called gate-toll, bridge-toll, &c.

Pontagium or *pontage*, is a toll paid for passage over bridges with horses, carriages, &c. and under them with boats, ships, &c.

Turn-toll, is toll paid in some places for beasts that are driven from markets and fairs unsold.

Toll-traverse, is a toll of a halfpenny, sometimes claimed by a person for a beast that is driven over his ground.

Thorough-toll, is where a town has power to claim a toll for every beast that goes through that town.

Murage, is a toll for repaying the expense of building public walls.

Picage, is money paid for breaking ground to set up standings in fairs.

Lastage, is a toll paid for liberty for persons to carry their goods up and down to marts, markets, and fairs.

Tallage, is a part or share of a man's substance paid by way of toll or tax.

“ By the ancient law of this land, the buyers of corn or cattle in fairs or markets ought to pay toll to the lord of the market, in testimony of the contract there lawfully made; for toll was first invented that contracts in markets should be openly made before witnesses; and privy contracts were held unlawful.”

“ The toll in fairs is generally taken upon the sale of cattle, as horses, &c. but in the markets, for grain only; and the

lord may seize until satisfaction is made him. It is always to be paid by the *buyer* unless there be a custom to the contrary; and nothing is tollable before the sale except it be by custom time out of mind; which custom none can challenge that claim the fair or market by grant since the reign of King Richard II. so that it is better to have a market or fair by prescription than grant. 2 Inst. 220. 221."

"At this day there is not any one certain toll to be taken in markets; but if that which is taken be unreasonable, it is punishable by stat: 3 Edw. I. c. 31. And what shall be deemed reasonable is to be determined by the judges of the law, when it comes judicially before them. If excessive toll be taken in a market town by the lord's consent, the franchise shall be seized; and if by other officers, they shall pay double damages, and suffer imprisonment. Stat: Westm: 3 Edw. I. c. 31.

"Owners of markets and fairs are to appoint toll-takers, where toll is to be taken, under penalties, Stat: 2 and 3 Ph. and M. c. 7. And he that hath the toll, or

profit of the market where no toll is, ought to provide a lawful measure of brass, and chain it in the public market place, or shall forfeit five pounds. Stat : 22 Car. 2. c. 8."

"When the King grants a fair, he may likewise grant that toll shall be paid, though it be a charge upon the subjects, but then it must be of a very small sum. Toll is to be reasonable, for the king cannot grant a burdensome toll; and one may have toll by prescription for some reasonable cause, but such a prescription to charge the subject with a duty of toll, must import a benefit or recompence for it, or some reason must be shewn why it is claimed. Cro. Eliz. 559. 3 Lev. 424. 2 Mod. 143. 4 Mod. 323."

In King Edward's charter, (see page 34) the tolls of the fairs and markets are granted for "The reparation, emendation, and fortification of the bridges, ports, towers, and walls of the town of Ludlow, and for the munition and defence of the same town in the resistance of the rebels of Wales and the Marches thereof;" and are chargeable upon all articles "*coming or brought for sale to the town.*"

Hence it appears, the money arising from the said tolls is devoted to repair bridges, ports, towers, and walls; but, it is understood, none of the three latter buildings are now repaired at the public expense. And, no doubt, if the repairing expenses of the bridges are less than the whole profits of the tolls, the overplus is applied to other public purposes for the good of the town.

The toll taken in this town called "*pontage*," is similar to contributions claimed of passengers in places where there are *new-built bridges*, and which continue to be received until the whole building charges are liquidated. So that here are *two* sources of revenue to defray the expenses of repairing three bridges;* two of which are of ancient building, and the other, Corve bridge, was erected about 33 years ago.

Pontage money is demanded at these bridges for *a pair of shoes, a hat, a coat, &c. purchased at tradesmen's shops in the town;*

* Leland writes, in 1540, that Ludford's bridge contained three arches, and had been erected about 100 years, having a chapel upon it called St. Catharine.

which is a practice quite at variance with the directions of the charter, wherein it is expressed the tolls are to be taken for goods, wares, or merchandize "*brought for sale.*" Also it has been decided in the court of exchequer that *toll* is *not* to be taken for any commodities whatsoever unless *brought into and sold* in open markets and fairs *only*.

ABOLITION OF THE TOLLS.

Toll-gathering constantly produces discontent and clamorous contentions amongst the people. In almost every street in the town, on market and fair days, it is common to witness vulgar tumults between the collectors of tolls and the buyers and sellers of cattle, horses, sheep, &c. and frequently the windows of shops are broken, and persons passing in the streets, greatly annoyed by these disturbances.

It would be commendable in the gentlemen, farmers, and traders in the town and neighbourhood, by a subscription, to purchase the tolls; or it would be praise worthy in the corporation either to abolish them *gratis*, or sell on reasonable terms, in order

torid the town of the recited inconveniencies and obstructions. Such a measure, carried into effect, would be cheerfully welcomed by the farming interest in this part of the country, as a liberation from an impost connected with vexatious circumstances; and, undoubtedly, would be productive of an increase of attendants upon the markets and fairs, and a considerable addition to the business of the tradesmen of the town.

In some boroughs the corporations have voluntarily discontinued the tolls, foreseeing the interest of the inhabitants would be greatly promoted thereby. And in Litchfield, the tolls of the market were purchased by the two members of parliament for that city.

TOLL of GRAIN BOUGHT by SAMPLE.

Until about the month of July, 1813, it had been the grievous practice of the corporation of Ludlow to take toll of grain bought by sample in the town, the bulk of which was delivered on the premises of millers, maltsters, and others, and not taken into the market. In the year 1812,

an action against the toll-gatherer to the corporation of Worcester was tried, and the result as follows,

IN THE COURT OF EXCHEQUER
CHAMBERS;

Hill v. Smith, in Error.

AN action of trespass was brought by the plaintiff against the defendant, by which the plaintiff sought to recover damages from the defendant for taking a quantity of corn belonging to the plaintiff, as for corn said to have been sold by sample in the market at Worcester. Judgment had been entered by the defendant, and the plaintiff had removed by error into this court. Sir James Mansfield pronounced the judgment of the court: "From a review of the law of the case, from the earliest authorities down to the present period, the court was of opinion, that a *sale by sample* was not a legal contract for the sale of any thing whatever; and that the lord, or superior of an open or public market, was not entitled to toll or duty of any commodities not brought in bulk into market,

and there disposed of in open market. Supposing a person to have 1000 bushels of wheat which he intends for sale, but only 50 bushels of which he brings into the market and sells, that could never be construed to amount to a sale in open market of the whole 1000 bushels, but of the 50 bushels only."

"A sale by sample, it had been held by lord Coke, and other great law authorities, was illegal; such a sale was directly against the original principle and object for which a market was appointed: it was directly against the whole spirit of the law relating to the origin of markets." It was therefore ordered, that the verdict for the defendant be reversed, and that it be sent back to the court below to order an inquiry into the amount of damages to which the plaintiff was entitled for the trespass committed against him in taking of his corn.

This was a triumphant blow against the errors or exactions of corporations, and caused a discontinuance of the practice of tolling corn not brought into market.

BENEFACTIONS

TO THE

TOWN of LUDLOW,

AND

POOR INHABITANTS

THEREOF.

Ah little think the gay, licentious proud,
Whom pleasure, power, and affluence surround;
They, who their thoughtless hours in giddy mirth,
And wanton, often cruel, riot waste;
Ah little think they, while they dance along,
How many feel, this very moment, WANT
And all the sad variety of pain.

THOMSON.

WHILE England stands pre-eminent in Europe for the multiplicity of its benevolent foundations, the town of Ludlow must not be forgotten as contributing to this national character; and, the following pages of benefactions will shew, that the object was to assist the unfortunate and helpless in declining years.

S s

AMONG the benefactions, that of the PALMER'S GUILD appears to be of the greatest importance to the town of Ludlow, and is therefore first noticed.

Anciently, in many towns, there were divers Guilds, Gilds, or Fraternities, founded and erected for the promoting of religion and charity. They were called gilds, from gild or geld, money, because such as associated in them did contribute money, goods, buildings, and lands, for the support of their common charge.

Dugdale says, these guilds or societies were used "by mutual consent of friends" and neighbours who had particular "licenses granted to them, for conferring" lands or rents, to defray their public "charges; as by the statute of Mortmain, such gifts would otherwise have been forfeited.

Some of these guilds erected hospitals and chapels, and supported priests to celebrate divine service; and also appointed wardens; and annually elected eight

aldermen out of their society, who had the power of electing a master and two proctors to superintend and manage their revenues. And the members of the guilds were of both sexes.

The PALMER'S GUILD at LUDLOW, before mentioned in the charter of King Edward the Sixth, was a religious fraternity, and the revenues of the guild estate were devoted to religious and charitable purposes. The society had a warden and three priests, with a college* house and appurtenances belonging thereto; in which the priests resided.

These severe and arbitrary law of Henry the Eighth, warranting the seizure of property belonging to monastic and religious institutions, excited alarm throughout the king-

* The same building now called "the College," situate near the Church of St. Lawrence.

Leland asserts that Mr. Hosyer, the founder of the Almshouse, also founded a Chantry in this College, which he endowed with £.10 or £.12 in land by the year. And also says, this stipend had been given to a School Master.

dom; and operated so powerfully on the minds of the brothers and sisters of the Palmers' Guild at Ludlow, as to induce them to surrender their estates to the King.

Before the forty-third year of the reign of Queen Elizabeth, there were but few laws for the regulation of the poor; therefore the indigent and idle resorted to the guilds, monasteries, and other religious houses for relief; until their overthrow gave rise to the formation of parishes into distinct fraternities, and compelling them to support their own members.

King Edward the Sixth, in his charter directed that the bailiffs, burgesses, and commonalty of Ludlow, do keep and maintain, with the issues and profits of the guild estate, thirty-three poor indigent persons, giving to each of them fourpence every week, and one chamber for every of them to live in. Also for maintaining a free grammar school; for the support of two ministers of the church, and "*for other pious uses.*"

In an ancient "survey of the guild

estate," it appears the total annual rents thereof, before the reign of King Edward the Sixth, did not exceed £.121. Since that period property has increased in value to a considerable extent ; from which it is fair to infer that ample means are somewhere to be found to augment the weekly stipend of the inmates of the almshouse, if the funds have not been wasted or misapplied; for, when the rents were £.121 per annum, *fourpence* per week to each person was, probably, a fair distribution. But of late years, the advance of landed property, the reduction of money, and the increase of commerce have caused the value of almost all property to be from ten to thirty times as much as it was in those days.* Certainly, the trustees have advanced the pay to 2s. 6d. per week. Still it would be more satisfactory if a statement were made of the income and disbursements, to enable the public to judge how far that allowance

* One instance of the great difference in the value of property in the fifteenth century and the present time, is the lands with which *the Guild of the Holy Cross* in Birmingham were endowed, being in the reign of Edward the Sixth, valued at £.31 per annum, and in 1795, about £.1200.

might be increased without injury to the institution.

Age and infirmity have a natural claim upon the benevolent; and such was, doubtless, the feeling of the founder of the almshouse.

The Almshouse is a neat and good structure, situate on the west side of the church; and, according to the following inscription over the door, was founded by Mr. JOHN HOSYER, a merchant, in the year 1486, and rebuilt in the year 1758.

“ Domum hanc Eleemosynarium
Munificentia JOHANNIS HOSYER mercatoris
Anno salutis MCCCCLXXXVI. præsinites, ex-
structam
Temporis injuria labefactam dieu et ruituram;
In Dei optimi Maximi gloriam, pii Fundatoris
Memoriam et commodiorem
Pauperum receptionem; ab ipsis usque
Fundamentis propriis sumptibus,
Resuscitarunt, ampliarent, ornarent,
Balivi Burgenses, et Communitas
Villæ hujus de Ludlow
Anno Domini MDCCCLVIII.
Augustissimi Regis Georgii Secundi
Tricesimo primo.”

Over this Inscription, appears the Arms of the Town, a Lion couchant with three Roses, handsomely and judiciously carved in Stone.

BRIEF HISTORY

OF

Mr. FOXES CHARITY.

IN the Will of CHARLES FOXE, esq. of *Bromfield*, near *Ludlow*, in the county of *Salop*, dated the 12th day of October, in the 33rd year of the reign of Her Majesty Queen Elizabeth, 1590, it is recited that he, the said Charles Foxe, had began a foundation to erect four Almshouses or Chambers upon a parcel of ground near the Chapel of St. Leonard, in *Corve-Street*, in *Ludlow*, in the county of *Salop*, and that the same ground together with the chapel had lately been purchased by him for the relief and maintenance of four poor and impotent persons, to be there from time to time kept and relieved. And it is by the said will provided that in case the said Charles Foxe should happen to die at any time before the almshouses were thoroughly finished and erected, then his executors, with monies to arise out of his mortgaged

lands, were to build up and finish the same in as short a time as conveniently they may, according to the plot or foundation then already begun, as well as for divine service to be had and maintained in the said chapel of St. Leonard in such manner as should be appointed. The testator then bequeaths unto Edward Foxe, his brother, and Edmund Foxe, his son (two of the executors of his said will) their heirs and assigns for ever, four messuages in Worcester, upon consideration and to the end that they the said Edward and Edmund should, within the space of three years next after his decease (if in his lifetime the same were not to those uses by him conveyed and assured) by their sufficient deeds lawfully and duly executed, enfeof some three, four, or more of his next name and kindred of his body descended, and in default of them, some others with them and their heirs of and in the same premises. The testator, also bequeaths two bells, then in the sollar at Bromfield, to be hanged up in the steeple of St. Leonard's chapel, to ring into divine service, and there to remain for evermore. Mr. Foxe, the testator, dying before the

almshouses were completed, his executors ordained that out of the rents, issues, and profits to arise out of the said four messuages at Worcester, four pounds should be yearly paid unto four poor or impotent persons that should be placed in the said new hospital or almshouses, to be equally divided between them quarterly, at four terms or times in the year; and that forty shillings should be yearly paid unto a sufficient chaplain or minister to read and say to the poor there divine service at certain times in the week; and also six shillings and eightpence to be paid yearly unto some sufficient and learned preacher for a sermon to be made and preached in the chapel of St. Leonard yearly, at some convenient time within the feasts of Christmas; and other six shillings and eightpence for a like sermon to be made and preached in the said chapel yearly, in the time of Lent, for the better edifying and instructing of the said poor, *and such other people as should resort thither*: and the residue of the said rents of the premises to be employed for the repairing of the almshouses and the chapel of St. Leonard from time to time,

and as need and occasion should require, and for levying and gathering the said rents yearly, and other necessary charges.

It appears, the estate attached to this charity was vested from time to time in the family name and kindred of Charles Foxe, the founder, by divers assignments and conveyances, made at various periods between the years 1592 and 1771. That in the year 1726, Henry Foxe of *Reteskin* in Montgomeryshire, the only surviving trustee died, leaving two grandsons, (their father having deceased before their grandfather), which two grandsons were brought up in parts beyond the seas, and this charity during their infancy and absence became neglected, and the chapel and almshouses went out of repair, as did also the four houses at Worcester. Henry and James Foxe, the said two grandsons returned to England, when Henry being informed the trust of this charity was vested in himself and his brother James, the only survivors of the family, and that the occupiers of the four houses in Worcester set up a right to those premises in defiance of the

brothers as trustees thereof; he, Henry, caused application to be made to the said occupiers for possession of the premises, and for them to attorn to him for the use of the charity, which being refused, an ejectment was brought against them in the court of king's bench, and a verdict obtained on a trial thereof at Worcester assizes about the year 1751; and also shortly after another verdict on an ejectment was obtained at Shrewsbury assizes against the occupiers of the almshouses in Corve-street, Ludlow.

In the year 1757, the four houses in Worcester being gone into decay, Henry Foxe granted four building leases thereof for the term of ninety-nine years at reserved rents; and he, Henry, dying about the year 1762, his only brother, James Foxe became trustee and manager of the charity, until about the year 1771, when the corporation of Ludlow *made application* to him, the said James Foxe, for an assignment of the charity estate, which they then obtained, comprising Saint Leonard's chapel, the almshouses, and the four houses

at Worcester, to be vested in them and their successors for ever, *upon the same trusts as are mentioned in the will of Charles Foxe, esq. the donor, and in the ordinances of his executors.* Other endowments towards the stipend of a minister also passed with the conveyance of this trust into the hands of the said corporation, consisting of £.1 per annum out of a certain estate situate in the parish of Ludford; £.1 per annum out of a certain estate in the parish of Ashford Bowdler; the annual sum of 16s. out of the rents of Chapel Leasows, near Corve bridge; and the annual sum of 13s. 4d. from several houses in Dinham, Ludlow.

At the time of the execution of the assignment of the trust of the chapel, in 1771, Mr. James Foxe required and received a verbal engagement from the corporation that the latter should put the chapel in repair. In the year 1773 the corporation unroofed the chapel and sold the timbers, tiles, and other materials taken therefrom; in the year 1787 they ordered the massy walls of the chapel to be taken down and the stones to be used

in building a bridge; and in 1789 granted a lease of the site of the chapel and chapel yard, for a term of ninety-nine years, to one of their own body who converted the same to garden and building purposes.

In the year 1813, the burial ground of St. Lawrence, Ludlow, being found extremely crowded and incapable of receiving many future interments without prematurely disturbing bodies, a committee of the parishioners was appointed in vestry, to inquire into the right of the parish to the site of the chapel and chapel yard of St. Leonard, Corve-street, for the purpose of burial ground; who procured the opinion of counsel upon a variety of important information, and laid the same, in a report, before the parishioners in vestry; which the parish in the year 1815 acted upon, by instituting proceedings in the court of Chancery against the Corporation of Ludlow for the restoration of the said chapel and chapel yard. On the 7th and 8th days of November, 1815, the petition and evidence were heard by Sir Thomas

Plumer, Vice-Chancellor, and ably argued by counsel on both sides; and on the 17th the court gave judgment that the corporation had been guilty of a breach of trust in pulling down St. Leonard's chapel and converting the chapel yard to unhallowed uses; and ordered they should be discontinued trustees of the charity estate, and that others be appointed in their stead.

The appointment of new feoffees, and an inquiry into various matters respecting this charity were referred to a Master, who on the 20th of December, 1817, made a report to the court. After which the corporation petitioned the court that the proceedings on the master's report might be staid, and that the matter may stand for argument. On the 17th of February and the 13th of June, 1818, additional evidence in support of, and against, the said report was exhibited and argued upon by counsel. And on the 9th February, 1819, the Master of the Rolls, Sir Thomas Plumer, ordered that the bailiffs, burgesses and commonalty of Ludlow do convey the said charity estate to the new trustees, approved by the court, on

or before the 25th day of March following; and also pay the sum of £.1220 for the purpose of rebuilding the said chapel of St. Leonard, and pay the costs taxed by the Master; and ordered that the tenants of the charity estate do attorn to the new trustees.

The corporation, dissatisfied with this order, petitioned the Lord Chancellor to re-hear the original petition in this matter, together with evidence on both sides; and in the month of July, 1819, the same was re-heard and argued before his Lordship; upon which judgment has not been pronounced.

A valuation of what yearly rent the said leased premises at Worcester belonging to this charity, is now worth, has been procured, which amounts to £.140; and the whole interest in this property will revert to the charity in or about the year 1856.

A copious account of the proceedings upon the said petition, containing the evidence on both sides, the arguments of

counsel, &c. &c. is published, and may be had at Mr. W. Felton's, Bookseller, Ludlow, price 2s. 6d.

MR. LANE'S CHARITY.

Mr. LANE, in his will dated the 20th day of November, 1674, devised his real and personal estate, after payment of his debts and legacies, unto Sir Job Charlton, Sir Thomas Walcot, and John Holland, in trust to dispose of the same in such manner as he by any writing under his hand and seal should appoint, and for want of such appointment, to such uses as God should direct them; and made Frances his wife, and the said John Holland (who died in the life time of Mr. Lane) the executrix and executor thereof.

Mr. Lane made and executed codicils to his will, by one of which, in the year 1676, he made William Briggs executor with his said wife; and he died without making any distinction how the said charity should be applied; and the said Frances his wife, and Briggs proved his said will and possessed themselves of his personal estate and effects, and paid and accounted

for the fame, or the greatest part thereof, to the said Sir Job Charlton and Sir Thos. Walcot.

In the year 1683, Sir Job Charlton and Sir Thomas Walcot repaired a House of Mr. Lane's in Ludlow, and converted the same into a workhouse for employing the poor in and about the said town of Ludlow in making serges and other woollen cloths, and bought several materials for carrying on the manufacture of such articles; and also purchased with part of the money arising from Mr. Lane's personal estate, a real estate of the yearly value of £.30 for the use of the said charity; and also expended great sums in carrying on the said manufacture of serges and cloths. Appointed Richard Cess, of Ludlow, master of the workhouse; and shortly afterwards Sir Thomas Walcot died intestate without giving any directions otherwise than as aforesaid, touching the management of the charity; whereby the trust survived to Sir Job Charlton.

In the will of Sir Job Charlton, dated the 6th day of November, 1691, he therein

directed that Sir Francis Charlton, his eldest son and heir, should apply the rents and profits of the said purchased estate, and other the personal estate and effects of Mr. Lane, for the maintenance of the master of the workhouse for the time being, and for keeping in repair and good order the said workhouse, and that he, advising with the chief magistrates of Ludlow, rector of Ludlow, and the vicar of Ludford, should nominate and appoint one of the chamber, or at least an inhabitant of Ludlow, to be master of the workhouse, who should enjoy the same so long as he behaved well; and made Thomas Hanmer and William Coole, esqrs. executors of his will: he soon after died, and his executors proved his will, the latter dying shortly after; Sir Francis took out letters of administration to his father's will.

In the year 1713 Frances, the wife of Mr. Lane died, having first intermarried with one Benjamin Karver, who took out letters of administration to his said wife, and having got into his possession the deeds, evidence, and writings relating to

the real estate of Mr. Lane, the bailiffs of Ludlow, rector of Ludlow, and the vicar of Ludford on behalf of the poor of Ludlow, in the year 1714, exhibited an information in the court of chancery against Karver, and by a decree of that court, compelled him to restore the said deeds, &c. Proceedings respecting the funds and management of this charity, remained in the court of chancery many years, during which period, a considerable sum of money being accumulated in the hands of the trustees, the court ordered £.200 to be laid out in materials for carrying on the woollen manufacture, and £.100 to be laid out in repairing the workhouse.

In the year 1719 the court appointed John Baldwin to be receiver of the rents of said charity estate, and ordered that he should annually account to the court for the same; and he continued to receive the rents until 1728, and then died without paying or accounting for the said rents and profits. His executors were called upon to pay the same. For several years after this no receiver was appointed, and the

rents and profits of the charity estate to the amount of £300 remained in the hands of the tenants.

In 1739, the master reported to the court that Sir Blunden Charlton proposed Mr. Marsh as a fit person to be appointed receiver of the rents &c. of the charity estate, and he was approved on producing Roger Phillips and Thomas Penner as his sureties, bound in recognizance for the sum of £120 for his *annually accounting* before the said master of the court for what he should receive by or out of the arrears or rents of the trust estate, and paying the same as the court should direct and appoint. And also a scheme for the future management of this charity was adopted by the court, but the particulars of the same are not extant.

Formerly, one part of the property belonging to this charity was a farm called the "Measles," some years ago exchanged with the late W. P. Hall, esq. of Downton Hall, for lands in the parish of Culmington, Salop; which lands now produce an annual rent of L.100; and there are also

rents received for extensive premises situate in Broad-street, Ludlow.

Out of the rents and profits of this charity estate £.20 is annually paid to the master of the workhouse; repairing expenses of the workhouse are also paid; and some money is every year laid out in clothing poor inhabitants of Ludlow.

Thomas Candland, in 1616, by will, gave to the almshouse and the poor, £.1 per annum, being a rent charge.

James Walker, in 1624, by will gave to the poor in the almshouse £.10 per annum, being a rent charge.

William Archer, by deed, gave to the poor inhabitants of the almshouse £.1 per annum, from a rent charge.

Charles Sommerback, in 1634, by deed gave to ten poor widows, L.13 per annum, a rent charge.

Evan Phillips, in 1676, by deed, gave to twelve poor widows or women, L.1 12s. 6d. per annum in land; vested in the corpora-

tion. This donation being in land, the profits, probably, are now much increased.

Thomas Lane, in 1676, by will, gave the rent of a piece of land called *St. John's Close* in Ludlow, vested in the corporation, to be distributed in bread amongst twelve poor widows.---In the year 1786, this land let at the annual rent of *L.7* 16s. 0d. and in the year 1811 was re-let for twenty-one years at *L.23* per annum.

Richard Davies, in 1699, by will, gave *L.100* in money, vested in the corporation, which now produces *L.6* per year to eight poor widows.

John Long, by will, gave to the poor *L.1* per annum interest of money. Vested in the corporation.

John Robinson, by will, gave *L.100*, the interest thereof to go to the charity school and twenty poor housekeepers:---Vested in the corporation.

John Handford, by will, gave *L.25*, the interest thereof to go to ten poor persons: vested in the corporation.

Thomas Meyricke, in 1724, by will, gave L.40, the interest thereof to go to the charity school :—Vested in the corporation.

Richard Tomlins, in 1724, by will, gave to the charity school L.20 per annum, from a rent charge :—Vested in the corporation.

Andray Hughes, by will gave L.10, the interest thereof to go to the poor :---Vested in the corporation.

Richard Hall, by will, gave to the poor 10s. per annum interest of money.---Vested in the corporation.

M. Hall, by will, gave L.10 the interest thereof to go to the poor :---Vested in the corporation.

—— *Gay*, by will gave to the poor of the almshouses L.6 per annum; a rent charge.

Jane Higginson, gave to five decayed tradesmen's widows in consideration of keeping the chancel of the church clean, L.5 per annum; a rent charge.

Richard Gwilliams, in 1629, by will, gave

to the poor, £.1 per annum ; a rent charge.

Richard Morgan, rector of Clungunford, by will, 10th July, 1766, gave £.140, the interest whereof to pay for schooling poor children :---Vested in the Rector, Lecturer, and Reader of Ludlow.

Thomas Pingle, by will, gave the interest of £.20 in money, to the almshouse

E. Baugh, and Elizabeth Baugh, by will gave £.1 per annum to eight decayed persons in trade ; from a rent charge :---Vested in E. Baugh.

Mrs. Bettinson, by will, gave the interest of £.100 to the inhabitants of the almshouse.—Vested in the corporation.

Mrs. Susannah Smyth, (of Ludlow) by will dated 15th August, 1801, gave £.100, the interest whereof to be distributed annually amongst the inhabitants of the almshouse ; the said principal money is in the navy 5 per cent. fund, and the trust of this benefaction is vested in the rector of St. Lawrence, Ludlow, for the time being.

Mrs. Ann Smyth, of Ludlow, by will, 1803,
X x

gave £.50, the interest thereof to be annually given to the inmates of the almshouse.—Vested in the corporation.

Thomas Hollingsworth of Ludlow, by will, dated September 4th, 1809, bequeathed the sum of £.50 stock in the 4 per cents. the interest whereof to be laid out in bread and given to poor widows of Ludlow, on the 25th day of December in every year for ever.—Vested in the rector and churchwardens of St. Lawrence, Ludlow.

Richard Nash, esq. (of Ludlow) by will dated the 14th day of June, 1815, gave £.100 stock in the 5 per cent. fund, the interest of which to be laid out in bread and distributed to the poor inhabitants of Ludlow on Christmas-day in every year for ever.—Vested in the minister and churchwardens of St. Lawrence, Ludlow.

The sum of £.120, called *The Money of Judge Turner and Mr. Meyricke*, was given to the corporation to be lent out in sums of £.35 each to four young tradesmen of Ludlow for the term of three years, free of interest.

There is an endowment that enables the Free Grammar School to send, once in ten years, a pupil to one of the Universities.

And a donation furnishes four boys with black gowns and school books.

THE BLUE SCHOOL.

It is understood the aforesaid different donations to this school are consolidated, and that together with annual subscriptions of the nobility, gentry, and others of the town and neighbourhood, are applied for defraying the expenses of educating a considerable number of children on the national establishment of Dr. Bell.

The National School for girls is supported by subscription, where needle work is taught.

The elegant and excellent Organ in the church was the gift of the Right Hon. Henry Arthur Earl of Powis, in the year 1764, at the expense of £.1000.

There is an endowment that enables the
Free Grammar School to send, once in ten
years, a pupil to one of the Universities.

And a donation furnishes four boys with
black gowns and school books.

THE LATIN SCHOOL.

It is understood the intended benevolent
donations to this school are carefully
and not together with several endowments
of the rectory, church, and other of the
town and parish, are applied to
the expenses of educating
a considerable number of children of the
poor and the orphan of the town.

The Latin School is a
charitable institution, where the work
is taught.

The school and academy, which in the
church was the site of the school, and
there, where the school was, in the year
1714, in the year of 1714.

Camden's

ACCOUNT OF LUDLOW.

1st. vol. page 647.

“ LUDLOW, in Welsh, *Dinan and Lystwy-*
“ *sog*, that is, the Prince's Palace, is seated
“ on a hill, at the joining of the Temd with
“ the river Corve, a town of greater ele-
“ gance than antiquity. Roger Montgomery
“ first built here a beautiful and strong
“ castle, hanging over the river Corve, and
“ then enclosed it with walls about a mile
“ in compass. This, when his son Robert
“ was proscribed, King Henry the First
“ took into his own hands, and defended
“ it against King Stephen, who laid close
“ siege to it, and Henry the son of the
“ King of Scots being lifted up from his
“ horse by an iron hook had been drawn
“ within the walls if King Stephen himself
“ had not assisted him, and with singular

“ courage delivered him from that immi-
“ nent danger. Afterwards King Henry
“ the Second gave this castle with the vale
“ below along the Corve (commonly called
“ Corve-dale) to Fulk de Dinan; next it
“ came to the Lacies of Ireland, and by
“ a daughter to Jeffry de Joineville or
“ Poictovin, or, (as some say) to the house
“ of Lorraine, from whose posterity it
“ descended by a daughter to the Morti-
“ mers, and from thence hereditarily to the
“ crown. Afterwards the inhabitants erec-
“ ted a fair church in this place, upon the
“ highest ground in the heart of the town,
“ the only one they have, and from this
“ time we may date its reputation and
“ eminence beyond any of its neighbours.
“ Tho’ King Stephen, Simon de Montford
“ and Henry the Sixth did much damnify
“ it in the several civil wars, yet it always
“ recovered, more especially ever since.
“ King Henry the Eighth established the
“ council of the Marches (not unlike the
“ French Parliaments); the Lord President
“ whereof generally kept his court here,
“ seldom wanted business, either owing to
“ the great extent of jurisdiction, or to the

“ litigious temper of the Welsh. The council consisted of a lord president and as many counsellors as the king pleased, a secretary, an attorney, and solicitor, and the four justices of the counties of Wales.” (But that council together with the said courts, being a great grievance to the subjects, were dissolved and taken away by parliament in the first year of King William and Queen Mary.)—*Gibson.*

Leland's

ACCOUNT OF LUDLOW.

About 1540.

“ THE BRIDGE of Teme at Ludlow devideth with the stream down along Herefordshire from Shropshire.

“ The town of Ludlow being Shropshire, on the left ripe of teme river is set upon a hill, so that a man coming to any way

“ must conseend. It is well walled, and by
“ estimation it is a mile in compasse.

“ There be in the wall five* gates,
“ Broad-gate that leadeth to Broad-street
“ the fayrest part of the town. Oldgate is
“ also towards teme as Broad-gate, but not
“ so near. Gaolford gate. Corve gate to-
“ wards the left ripe of Corve river. Mill-
“ gate. The Castle hemmeth in part of the
“ town, and standeth on a strong rock, well
“ ditched betwixt Corve-gate and Mill-gate.

“ There is but one church in the town,
“ but that is very fayr and large and richly
“ adorned, and taken for the fayrest in all
“ those quarters. It standeth even in the
“ midst of the town, and is the highest
“ ground of it. This church hath been
“ much advanced by a brotherhood there-
“ in, founded in the name of St. John the
“ Evangelist, the original thereof was (as

* This number is incorrect ; there were seven gates, viz. Broad-gate, Oldgate, Gaolford gate, Corve-gate, Mill-gate, Dinham-gate, and Linney-gate, therefore the latter two were not observed by Leland. All, except Broad-gate, were taken down in the latter end of the seventeenth century.—*Editor.*

“ the people say there) in the time of King
“ Edward the Confessor, and it is constant-
“ ly affirmed there that the pilgrims that
“ brought the ring from St. John the Evan-
“ gelist to King Edward, were the inhabi-
“ tants of Ludlow.

“ This fraternity* hath a guardian chosen
“ yearly among the burgesses, and to this
“ college belonge now a tenne priests
“ partly found by endowment of lands
“ partly by gathering the devotion of the
“ people thereabouts. And these priests
“ have a fayre house at the west end of the
“ parish churchyard, and by it an hospital
“ or almshouse of a thirty poor folks for the
“ most part, and sometimes were maintain-
“ ed by the fraternity, and partly by money
“ given for obits of men buried there in
“ the church.

“ There was a very rich merchant in
“ Ludlow not long since, called Hosyer,
“ buried in the church, who founded a Can-
“ truarye in a part of the aforesaid college,
“ endowed it with *L.10* or *L.12* land by the
“ year. This stipend is now given to a
“ school master.

* The Palmers' Guild.

“ The town wall encloseth the north side
“ of the cemetery of the parish church.

“ I noted these graves of men of fame in
“ Ludlow church. Beauvie or Beaufrie,
“ sometime cofferer to King Edward the
“ Fourth. He giveth a Leg in his Arms.
“ Cokkis, a gentleman, servitor to Prince
“ Arthur. Dr. Denton Master of St. John's
“ in Ludlow. Suliard, justice of the
“ Marches of Wales. Hosier, a merchant.

“ There be two castles for conduit*
“ water in the town served from the same
“ spring or head.

“ There were two fair colleges of Fryers
“ in Ludlow. The White Grey Fryers
“ was a costly thing and stood without
“ Corvegate by north almost at the end of
“ that suburb†; one Ludlow, a knight‡, Lord

* These Conduits stood, the one in Castle-street between the Market Hall and the Castle; and the other at the upper end of Broad-street, opposite the Butter-Cross, having embattled tops imitative of Castles. Tradition informs us that from the latter conduit, at the time Peace was proclaimed in the reign of Queen Anne, WINE was drawn and drank by the populace on the joyful occasion.---*Editor.*

† Near to St. Leonard's Chapel, on the south side thereof.

‡ This, no doubt, means Sir Lawrence de Ludlow, who erected the present church dedicated to St. Lawrence, in

“ of Stoke Castle, or Pyle towards Bishop’s
“ Castle was original founder of it. Vernon
“ an heir is now owner of Stoke, and of
“ late was taken founder of this house.

“ The Augustine Fryers without Gaol-
“ ford’s gate.

“ I saw suburbs not at Mill-gate.

“ The suburbs over Teme bridge by
“ south is called Ludford, and in it is a
“ little parish church.

“ There is on the north side of the
“ bridge on ripa senestra Teme, a church
“ of St. John’s standing without Broad-gate,
“ sometime a college with a dean and
“ fellows, of one Jordan’s* foundation.
“ There be three fayre arches in this
“ bridge over Teme, and a pretty chappel
“ upon it of St. Catherine. It is about 100

Ludlow, in the twenty-third year of the reign of King Edward the Third, (1349) upon the site of the church of St. Mary, White Friars. The ancient church of St. Mary, probably was the mother church in Ludlow, and the chapel called St. Mary, which at no very remote period stood in Dinham, was an appendage to it.---*Editor*.

* This Jordan, probably, was the same who granted the common pasture of Whitcliffe to the inhabitants of Ludlow.

“ years since this stone bridge was erected.
“ Men passed along by a ford a little below
“ the bridge.

“ Passing out of Ludlow by Corve-gate I
“ came straight to Corve bridge of five fair
“ arches of stone. This Corve river goeth
“ straight down to the castle of Ludlow,
“ and a little beneath goeth into Temd by
“ the left ripe. Here I markt the Temd
“ cometh west-north-west out of Wales,
“ and Corve cometh through Corve Dale
“ in Shropshire by east-north-east.”—
Hearne’s Leland, 2 edit. 4 vol. p. 91.

CHURCHYARD, who wrote in the reign of
Queen Elizabeth, remarks of this place
thus,

“ THE town doth stand most part upon an hill,
“ Built well and fair, with streets both large and wide,
“ The houses such were strangers lodge at will,
“ As long as there the council lists abide.
“ Both fine and clean the streets are all throughout,
“ With condits cleere and wholesome water springs,
“ And who that list to walk the town about,
“ Shall find therein some rare and pleasant things;
“ But chiefly here the ayre so sweet you have,
“ As in no place you can no better crave.”

Constitutional Rights.

The following copies of MAGNA CHARTA, BILL of RIGHTS, HABEAS CORPUS, and ACT of SETTLEMENT, are introduced here as being considered proper for a place where any of our constitutional rights and liberties are subjects of consideration; and also as being illustrative of the basis of the English Constitution.

Judge Blackstone, in speaking of the rights and liberties of Englishmen, adverts to these valuable acts of our ancestors in the following words, viz.

“THE great CHARTER OF LIBERTIES,
“which was obtained, sword in hand, from
“King John, and afterwards, with some
“alterations, confirmed in parliament by
“King Henry the Third, his son; con-
“tained very few new grants; but as
“Sir Edward Coke observes, was for
“the most part declaratory of the prin-
“cipal grounds of the fundamental laws of
“England. Afterwards by the statute
“called *confirmatio cartarum*, whereby the

“ great charter is directed to be allowed
“ as the common law; all judgments con-
“ trary to it are declared void; copies of it
“ are ordered to be sent to all cathedral
“ churches, and read twice a year to the
“ people; and sentence of excommunication
“ is directed to be as constantly denounced
“ against all those that by word, deed, or
“ counsel, act contrary thereto, or in any
“ degree infringe it. Next by a multitude
“ of subsequent corroborating statutes (Sir
“ Edward Coke, I think, reckons thirty-
“ two), from the first Edward to Henry the
“ Fourth. Then, after a long interval, by
“ *the Petition of Right*; which was a parlia-
“ mentary declaration of the liberties of
“ the people, assented to by King Charles
“ the First in the beginning of his reign.
“ Which was closely followed by the still
“ more ample concessions made by that
“ unhappy prince to his parliament, before
“ the fatal rupture between them; and by
“ the many salutary laws, particularly the
“ *Habeas Corpus* Act, passed under Charles
“ the Second. To these succeeded the *Bill*
“ *of Rights*, or declaration delivered by the
“ lords and commons to the Prince and

“ Princess of Orange, 13 February 1688; and
“ afterwards enacted in parliament, when
“ they became king and queen: which de-
“ claration concludes in these remarkable
“ words;” “ and they do claim demand,
“ and insist upon, all and singular the
“ premises as their undoubted rights and
“ liberties.” And the act of parliament
“ itself recognizes “ all and singular the
“ rights and liberties asserted and claim-
“ ed in the said declaration to be the
“ true, ancient, and indubitable rights of
“ the people of this kingdom.” Lastly,
“ these liberties were again asserted at the
“ commencement of the present century,
“ in the *Act of Settlement*, whereby the crown
“ was limited to his present Majesty’s illus-
“ trious house: and some new provisions
“ were added at the same fortunate æra,
“ for better securing our religion, laws, and
“ liberties: which the statute declares to
“ be “ the birthright of the people of
“ England,” according to the ancient doc-
“ trine of the common law.”

The parliaments from the time of King
William the First to the time of King John

suffered no opportunity to escape of obtaining from the kings the confirmation of the Saxon laws, and their promise to make them the rule of their government. These made no scruple to swear at their coronations to observe the laws, but at the same time they interpreted them as they pleased. Up to the reign of King John, oppressions, encroachments, and grievances had become so intolerable, that the barons, or chief feudatories, rose up in arms against that sovereign, and compelled him, at Runnemedede, to consent to the great charter of English liberty.

The said assembly of barons and others at Runnemedede, was not convened by the king's summons, but met there against his will, yet it is considered by all our historians as a common council of the kingdom, consisting of the nobility and *freemen* of England, who were then present in their own persons, to consent and accept of the charter, the granting of which, John had previously understood, was indispensable.

CONTENTS OF

MAGNA CHARTA,

OR THE

GREAT CHARTER of LIBERTIES.

*“ The agreement between King John on the one
 “ part, and Robert Fitzwalter, Marshal of the
 “ Army of God and the Holy Church of England,
 “ and Richard de Clare, with five other Earls
 “ and six Barons therein named, together with
 “ other Earls, Barons, and FREEMEN of the whole
 “ Kingdom, on the other part.—June 19th, 1216.*

THE freedom of election was secured to the clergy: the former charter of the king was confirmed, by which the necessity of a royal *conge-d' elire* and confirmation was superseded; all check upon appeals to Rome was removed, by the allowance granted every man to depart the kingdom at pleasure; and the fines to be imposed on the clergy, for any offence, were ordained to be proportional to their lay estates, not to their ecclesiastical benefices.

The privileges granted to the barons, were either abatements in the rigour of the feudal law, or determinations in points which had been left by that law, or had become, by practice, arbitrary and ambiguous.

The reliefs of heirs succeeding to a military fee were ascertained; an earl's and barons at a hundred marks, a knight's at a hundred shillings. It was ordained by the charter, that if the heir be a minor, he shall, immediately

upon his majority, enter upon his estate, without paying any relief.

The king shall not sell his wardship; he shall levy only reasonable profits upon the estate, without committing waste or hurting the property; he shall uphold the castles, houses, mills, parks and ponds; and if he commit the guardianship of the estate to the sheriff or any other, he shall previously oblige them to find surety to the same purpose.

During the minority of a baron, while his lands are in wardship, and are not in his own possession, no debt which he owes to the Jews shall bear any interest.

Heirs shall be married without disparagement; before the marriage be contracted, the nearest relation of the person shall be informed of it.

A widow, without paying any relief, shall enter upon her dower, the third part of her husband's rents; she shall not be compelled to marry, so long as she chuses to continue single; she shall only give security never to marry without her lord's consent.

The king shall not claim the wardship of any minor who holds lands by military tenure of a baron, on pretence that he also holds lands of the crown by soccage or any other tenure.

Scutages shall be estimated at the same rate as in the time of Henry I. and no scutage or aid, except in the three general feudal cases (the king's captivity, the knighting of his eldest son, and the marrying of his eldest daughter) shall be imposed but by the great council of the kingdom.

The prelates, earls, and great barons, shall be called to this great council, each by a particular writ; the lesser barons by a general summons of the sheriff.

The king shall not seize any baron's land for a debt to

the crown, if the baron possess as many goods and chattels as are sufficient to discharge the debt.

No man shall be obliged to perform more service for his fee than he is bound to by his tenure.

No governor or constable of a castle shall oblige any knight to give money for castle guard, if the knight be willing to perform the service in person, or by another able bodied man; and if the knight be in the field himself, by the king's command, he shall be exempted from all other service of this nature.

No vassal shall be allowed to sell so much of his land as to incapacitate himself from performing his service to his lord.

With regard to the common people, it was ordained that all the privileges and immunities above mentioned, granted to the barons against the king, should be extended by the barons to their inferior vassals. The king bound himself not to grant any writ, empowering a baron to levy aid from his vassals, except in the three feudal cases.

One weight and one measure shall be established throughout the kingdom. Merchants shall be allowed to transact all business without being exposed to any arbitrary tolls and impositions; they and all freemen shall be allowed to go out of the kingdom and return to it at pleasure.

London, and all cities and burghs, shall preserve their ancient liberties, immunities, and free customs; aids shall not be required of them but by the consent of the great council.

No towns or individuals shall be obliged to make or support bridges but by ancient custom.

The goods of every freeman shall be disposed of according to his will. If he die intestate, his heirs shall succeed to them. No officer of the crown shall take any horses, carts, or wood, without the consent of the owner.

The king's courts of justice shall be stationary, and shall no longer follow his person; they shall be open to every one; and justice shall no longer be sold, refused, or delayed, by them. Circuits shall be regularly held every year; the inferior tribunals of justice, the county-courts, sheriff's-turn, and court-leet, shall meet at their appointed time and place.

The sheriffs shall be incapacitated to hold pleas of the crown; and shall not put any person upon his trial, from rumour or suspicion alone, but upon the evidence of lawful witnesses.

No freeman shall be taken or imprisoned, or dispossessed of his free tenement and liberties, or cutlawed, or banished, or anywise hurt or injured, unless by the legal judgment of his peers, or by the law of the land; and all who suffered otherwise, in this or the two former reigns, shall be restored to their rights and possessions. Every freeman shall be fined in proportion to his fault; and no fines shall be levied on him to his utter ruin; even a villein, or rustic, shall not by any fine be bereaved of his carts, ploughs, and implements of husbandry.

Bill of Rights,

Granted, on Petition of the Lords Spiritual and Temporal and Commons, by Charles I. June 2, 1628.

I. WHEREAS it is declared and enacted by a statute, made in the time of the reign of King Edward I. commonly called *Statutum de tallagio non concedendo*, that no tallage or aid shall be levied by the king or his heirs in this realm

without the good will and assent of the archbishops, bishops, earls, barons, knights, burgesses, and other freemen of the commonalty of this realm : and by authority of parliament holden in the five-and-twentieth year of the reign of King Edward III. it is declared and enacted, That from thenceforth, no person shall be compelled to make any loans to the king against his will, because such loans are against reason, and the franchise of the land : and, by other laws of this realm, it is provided, that none should be charged by any charge or imposition called a benevolence, or by such like charge ; by which the statutes before mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament.

II. Yet, nevertheless, of late divers commissions, directed to sundry commissioners in several counties, with instructions, have issued ; by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty, and many of them, upon their refusal so to do, have had an oath administered unto them, not warrantable by the law or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy-council, and in other places ; and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted ; and divers other charges have been laid and levied upon your people, in several counties, by lord-lieutenants, deputy-lieutenants, commissioners for musters, justices of peace, and others, by command or direction from your majesty, or your privy-council, against the laws and free customs of this realm.

III. And whereas also, by the statute called *The Great*

A a a

Charter of the Liberties of England, it is declared and enacted, That no freeman may be taken or imprisoned, nor be disseised of his freehold or liberties, or his free customs, nor be outlawed or exiled, nor in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

IV. And in the eight-and-twentieth year of the reign of King Edward III. it was declared and enacted, by authority of parliament, that no man, of what estate or condition that he may be, should be put out of his land or tenements, nor taken, nor imprisoned, nor disherited, nor put to death, without being brought to answer by due process of law.

V. Nevertheless, against the tenor of the said statutes, and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned, without any cause showed; and when, for their deliverance, they were brought before justice, by your Majesty's writs of *habeas corpus*, there to undergo and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your majesty's special command, signified by the lords of your privy-council; and yet were returned back to several prisons, without being charged with any thing to which they might make answer according to the law.

VI. And whereas, of late great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants, against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people:

VII. And whereas, also, by authority of parliament, in the five-and-twentieth year of the reign of King Edward III.

it is declared and enacted, That no man shall be forejudged of life or limb against the form of the *Great Charter*, and law of the land: and by the said *Great Charter*, and other the laws and statutes of this your realm, no man ought to be judged to death but by the laws established in this your realm, either by the customs of the same realm, or by acts of parliament: and whereas, no offender of what kind soever, is exempted from the proceedings to be used, and punishment to be inflicted by the laws and statutes of this your realm: nevertheless of late, divers commissions, under your majesty's great seal, have issued forth, by which certain persons having been assigned and appointed commissioners, with power and authority to proceed within the land according to the justice of martial law against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanor whatsoever, and by such summary course and order as is agreeable to martial law, and as is used in the armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death, according to the law martial:

VIII. By pretext whereof, some of your majesty's subjects have been, by some of the said commissioners, put to death, when and where, if by the laws and statutes of the land they had deserved death, by the same laws and statutes also they might, and by no other ought, to have been judged and executed.

IX. And also sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forborne to proceed against such offenders, according to the same laws and

statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions as aforesaid; which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm:

X. They do therefore humbly pray your most excellent majesty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent, by act of parliament; and that none be called to make answer; or take such oath, or to give attendance, or to be confined; or otherwise molested or disquieted, concerning the same, or for refusal thereof; and that no freeman, in any such manner as is before mentioned, be imprisoned or detained: and that your majesty would be pleased to remove the said soldiers and mariners, and that people may not be so burdened in time to come: and that the aforesaid commissions, for proceeding by martial law, may be revoked and annulled; and that hereafter no commissions of like nature, may issue forth to any person or persons whatsoever, to be executed as aforesaid, lest, by colour of them, any of your majesty's subjects be destroyed, or put to death, contrary to the laws and franchise of the land.

All which they most humbly pray of your most excellent majesty, as their rights and liberties, according to the laws and statutes of this realm, and that your majesty would also vouchsafe to declare, that the awards, doings, and proceedings to the prejudice of your people, in any of the premises, shall not be drawn hereafter into consequence of example; and that your majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal

will and pleasure, that in the things aforesaid, all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty and the prosperity of this kingdom.

Habeas Corpus,

For the better securing the Liberty of the Subject, and for preventing Imprisonment beyond the Seas. Passed in the Reign of Charles II. 1679.

It was prohibited to send any one to a prison beyond sea.

No judge under severe penalties, must refuse to any prisoner a writ of *habeas corpus*, by which the gaoler was directed to produce in court the body of the prisoner (whence the writ has its name) and to certify the cause of his detainer and imprisonment.

If the gaol lie within twenty miles of the judge, the writ must be obeyed in three days; and so proportionably for greater distances.

Every prisoner must be indicted the first term after his commitment, and brought to trial in the subsequent term.

And no man, after being enlarged by order of court, can be re-committed for the same offence.

Act of Settlement,

For the Limitation of the Crown, and better securing the Rights and Liberties of the Subject. Passed 12th and 13th William III.

I. THAT whereas it is requisite and necessary that some further provision be made for securing of religion, laws, and liberties, from and after the death of his majesty and the princess Anne of Denmark, and in default of issue of the body of the said princess, and of his majesty respectively; be it enacted by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same.

II. That whosoever shall hereafter come to the possession of the crown, shall join in communion with the church of England, as by law established.

III. That in case the crown and imperial dignity of this realm shall hereafter come to any person not being a native of this kingdom of England, this nation be not obliged to engage in any war for the defence of any dominions or territories which do not belong to the crown of England, without the consent of parliament.

IV. That no person, who shall hereafter come to the possession of this crown, shall go out of the dominions of England, Scotland, or Ireland without consent of parliament.

V. That from and after the time that the further limitation by this act shall take effect, all matters and things relating to the well governing of this kingdom which are properly cognizable in the privy-council by the laws and customs of

this realm, shall be transacted there, and all resolutions taken thereupon shall be signed by such of the privy-council as shall advise and consent to the same.

VI. That after the said limitation shall take effect, as aforesaid, no person born out of the kingdoms of England, Scotland, or Ireland, or the dominions thereunto belonging, (although he be naturalized or made a denizen, except such as are born of English parents) shall be capable to be of the privy-council, or a member of either house of parliament, or to enjoy any office or place of trust, either civil or military, or have any grant of lands, tenements, or hereditaments, from the crown to himself, or to any other or others in trust for him.

VII. *That no person who has an office or place of profit under the king, or who receives a pension from the crown, shall be capable of serving as a member of the house of commons.*

VIII. That after the said limitations shall take effect as aforesaid, judges' commissions be made *quamdiu se bene gesserint*, and their salaries ascertained and established; but upon the address of both houses of parliament, it may be lawful to remove them.

IX. That no pardon under the great seal of England be pleadable to an impeachment by the commons in parliament.

X. And whereas, the laws of England are the birth-right of the people thereof, and all the kings and queens who shall ascend the throne of this realm, ought to administer the government of the same according to the laws, and all their officers and ministers ought to serve them respectively according to the same: the said lords spiritual and temporal and commons, do therefore humbly pray, that all the

laws and statutes of this realm, for securing the established religion, and the rights and liberties of the people thereof, and all other laws and statutes of the same now in force, may be ratified and confirmed; and the same are by his majesty, by and with the advice and consent of the said lords spiritual and temporal, and commons, and by authority of the same, ratified and confirmed accordingly.

EXTRACTS

FROM

Grandville Sharp's Essay

ON THE

Ancient Right of Election;

Shewing that all Renters of Houses, who were liable to the burthens of the State and rated to all public and parochial taxes, did anciently enjoy the right of voting for representatives to serve in Parliament.

ALL true friends to the cause of liberty and the natural rights of mankind would wish that *every man* should vote for his representative in the national council without any other description of right, or qualification, than that of being *a man*; yet, if this has not already been the usage of the realm, it is not, perhaps, adviseable, at least at present, to be adopted. We know not what would be the effects of it; probably they would be good: but we ought to walk in a trodden path, and build on sure foundations.

That *every man*, as such, if he was but an inhabitant of a county, did formerly vote, in the court of that county, (called the plain county, or full county), at elections for the knights of the shire, seems probable by the description of "*very great, outrageous, and excessive number of people dwelling within the same counties, &c. voting at such elections,*" as mentioned in the act of 8 Henry VI.

C c c

chapter 14, which restrained the right of voting for knights to the freeholders of forty shillings per annum lands or tenements.

But a just definition of terms will best shew what description of persons have an unquestionable *right to vote for representatives* according to the fundamental principles of the constitution.

The titles of *freeholders* and *liber-tenens* are ambiguous terms, not sufficiently descriptive of the rank intended to be expressed ; for they are applied at present only to land owners ; that is, to those who have, at least, a life-interest in lands or houses ; which last, as being built on land, do equally intitle the proprietor to the rank of *land-owner* : but these ambiguous terms, *freeholders* and *liberi tenentes* have sometimes been applied also to the *free renters of tenements by the year*, in contradistinction to the tenants at will, and holders in villenage ; for, the old Saxon *freo-borges* or *free-burgesses*, (that is, the free pledges of the realm), were equally free in their condition with those persons we now call *freeholders*, though the tenure of many of them was not permanent ; they being, (by far the greatest part of them) only the renters of tenements by the year ; though indeed, the land owners themselves (those that were housekeepers, or householders) must have been included under the same general description of *freoborges*.

Sir Edward Coke defines the meaning of the word *burgh* to be “ *because it sendeth burgesses to parliament* ;” and though this is not the proper derivation of the word, it is certainly the ancient usage of all boroughs, as well as the right of all burgesses or freoborges. For burghs were originally named from burgesses or freo-borges, i. e. free-

pledges,* in their collective capacity, in tythings and hundreds, (many of which might be included in one borough), and not vice versa, the burgesses from the burghs, which at present is commonly understood; and may, indeed, in some cases of the more modern boroughs, incorporated by charters, be really the fact.†

In the great annual courts of *Frankpledge* throughout the kingdom *every householder* was incorporated with nine other neighbouring householders (archbishops, bishops, peers, and other great men excepted, who pledged their own households, and were supposed in law to have a tithing within their own families; but all other householders, or renters of houses per annum, were incorporated) in distinct legal associations called *tithings** or *decenaries*, from the incorporated number of housesholders in each: and, though all youths of twelve or fourteen years of age, as also lodgers, journeymen, and male servants, were likewise obliged to attend the great annual court of frankpledge, and be there sworn to the king's peace, and be also regularly included in the decenary and trained in the use of arms, together with *ten* householders in whose families they were respectively included and numbered, yet the *ten householders only* were properly *freo-borges*, because

* "It was in former times" (says Sir Edward Coke, speaking of the word BURGH) "taken for those companies of ten families which were one another's pledge, and therefore a pledge, in the Saxon tongue a BORHOE, whereof (some take it) that a BURGH came; whereof also cometh *Headborough* or *Borowhead*, capitalis plegius, a *Chief Pledge*, viz. the chief man of the Borough, &c. Co. Lit. p. 109.

† A different etymology may also be assigned to many towns, the names of which end with *berg*, or *burg*, which signifies a *fortification*, or *castle*.

‡ The dividing of England into counties, hundreds, and tithings has been ascribed to the virtuous and patriotic King Alfred.

they were the responsible persons, who pledged all the rest, and had a fixed habitation, and certain interest in the state, paying scot and lot, being liable to all national, as well as county and parish rates.

And these ten freeborgs of each tithing were still farther distinguished by the title of *deciners*, (i. e. *decenarii*) a term very properly expressive of their rank and quality as fixed and permanent members of a decenary, consisting of ten such associated members, one of which was annually elected chief of the ten, or tithing-man.

The term "deciner" has been very much mistaken and misrepresented by law writers ; some applying it merely to the headborough, or *capitalis-friborgus*, the tithingman, or head of each ten free-burgesses ; and others, again, to every man that was included in a tithing ; which is a gross abuse of the term ; for a tithing may consist of many more than ten, (even 20 or 30 males,) yet the ten housekeepers who are principally responsible and thereby actually constitute the decenary, both in number and title, those ten alone are properly the deciners of a tithing.

Again, the word *denizen* has strangely puzzled the etymologists ; who have sought its derivation, some from the French *tougue*, others again from the antient British, but both equally in vain : For, though it appears, that the Britons had the term "denizen" in use amongst them before the coming in of the Anglo-Saxons, yet, as all the Roman colonies established among the Britons, were not only divided into *centuriæ* or hundreds, but had also their *decuriones*, and consequently decenaries also, (for the captain of *the ten* could not be without *the nine* whom he headed),

both in their civil and military government, it is clear, that the term “denizen” is of pure Latin original, from the numerous adjective *deni*, forming the Latin verb *denizo*, to express the adoption of any person into all the franchises and rights of a decenary. And our law-writers have regularly used the participle *denizatus*, and the derivative substantive *denizatio*, to express the introduction of aliens to the franchises of natural-born subjects, and yet they have not perceived the obvious meaning of these words both in sense and sound.

For, the alien is admitted by *denization* to all the rights of mutual protection enjoyed by the community of natives in their established decenaries; and if he then becomes a housekeeper, and one of the *ten* housekeepers who jointly constitute a tithing, or decenary, he is, of course, a deciner; and, with other deciners, is an incorporated member of the county which he inhabits; for, as the hundreds are the constituent parts of the county, and the tithings the constituent parts of each hundred, it necessarily follows, that the deciners are suitors of the county-courts; which right at present is very improperly attributed to the *freeholders*, (or more properly) to the *land-owners* alone; for the right of the deciners, or FREE BURGESSES, to the county-courts is demonstrated by the examples which have been given of general elections for knights, citizens, and burgesses, all together promiscuously in the county-courts; which I have recommended in a former tract, as one means of reducing the enormous disproportion of representation (at present enjoyed by some particular boroughs, to the effectual disfranchisement of all the rest!) whereby the kingdom has lost the means of expressing the sense of the people in parliament.

Though the representatives of cities are now called citizens, yet it appears that all cities and large towns have their right of voting as being ancient boroughs; that is, they had their right of voting from the inhabitants being free-borges or free-pledges of each other, in their respective decinaries, as deciners; and their right of becoming decineis arose from their being *householders*, "*paying certain rent per annum;*" or "*paying each of them yearly an annual rent:* for, that is the true definition of *burgage-tenure*, as described by Littleton; and therefore, not only *householders* whose houses are their own property, but also EVERY RENTER OF A HOUSE, OR TENEMENT, *who is equally liable to bear the burdens of the state, by being rated to all public and parochial taxes,* OUGHT TO BE ADMITTED TO VOTE FOR THEIR REPRESENTATIVES IN PARLIAMENT; a right which they anciently enjoyed. "For of such *old* towns, called *boroughs*, (says Littleton, "p. 109 b.) come the BURGESSES of the parliament, when "the king hath summoned his parliament."

The ancient city of Westminster, and many other cities, as well as the ancient borough of Southwark, still retain the original usage and rights of burgage tenure, the mere renters of houses, or householders, throughout all the parishes respectively included in each, being still entitled to vote by ancient prescription, which clearly proves the original nature of burgage-tenure, though it is very much altered in some other places, partly through the encroachments of purchasers of boroughs, to reduce the number of voters; and partly by granting exclusive privileges to a few people in the incorporated charter boroughs,

Commencement of Parliaments, *&c.*

The first parliament in England, comprising archbishops, bishops, abbots, earls, and greater barons, and other tenants in chief under the crown - - - - 1215—King John
 Triennial Parliament - - - - - 1694—William III.
 Septennial Parliament - - - - - 1716—George I.
 Imperial Parliament - - - - - 1801—George III.

The number of Representatives are

For England	- - - - -	513
Scotland	- - - - -	45
Ireland	- - - - -	100

Population of England	- - - - -	10,000,000
Number of Electors in England	- -	214,000

A Committee of the House of Commons, some years ago, stated that in England

130,000 Freeholders elect	- - -	95 Members
43,000 Citizens and Burgesses elect		52
41,000 Ditto	- - -	369

214,000 Total Electors	513
------------------------	-----

Statement of the increase of Representatives in Parliament from the reign of Henry VIII. to James I.

Henry VIII. added	- - - - -	38
Edward VI.	- - - - -	44
Mary	- - - - -	25
Elizabeth	- - - - -	62
James I.	- - - - -	27

Total 196

The Act of Union having limited the number of members of parliament in England to 513, and that of Scotland to 45, has now prevented any monarch from granting to any place the privilege by charter of sending members to parliament.

FAIRS

HOLDEN IN THE TOWN of LUDLOW,

[The times mentioned in the preceding Charters for holding the Fairs are according to the Old Style.]

MONDAY before February 13th

Tuesday before Easter,

Wednesday in Whitsun-Week,

August the 21st,

September the 28th

December the 6th,

A Great Market the MONDAY before
CHRISTMAS-DAY.

A Great Market the Second Monday in
JANUARY.

 *The SEPTEMBER FAIR is remarkable for its very large supply of Hops from Herefordshire and Worcestershire.*

And all the above Fairs are remarkably well supplied with cattle, sheep, pigs, Horses, Cheese, and various articles of merchandize.

The fairs in September and December are largely supplied with salt Butter from Wales.

The Fair holden on the Monday before February the 13th is not a chartered Fair, being established by the recommendation and exertions of one *Thomas Blainey*, in the year 1769.

INDEX.

	PAGE
Act of Settlement	362
Action arising in Ludlow to be tried there only	12
Aldermen, &c. for life	109
_____ vacated by death &c. to be filled up	ibid.
_____ &c. to hold meetings in the town	111
_____ &c. to be the Common Council of the	
town	103, 195, 322
_____ &c. to chuse Law Bailiff	115, 116
_____ to be sworn before head bailiff	168
Almshouse (Hosier's)	84
Almshouse (Foxe's)	319
Alnager to be appointed	38, 48
Arms of the town of Ludlow	3
Articles to benefit the burgesses	42
Assistant to the rector	86, 87
Assizes of victuals, &c.	23, 30
Attornies, &c. reinstated	207

B

Bailiffs to be chosen October 28th	6
_____ &c. to be a body corporate	7
_____ dying, to be replaced	97
_____ low, to be chosen	101, 103
_____ deputies	174
_____ &c. not to be molested	188
_____ &c. not to be prosecuted	ibid.
_____ to be justices of gaol delivery	32
Bailiff, head, to be sworn before aldermen and common	
counsellors	112
_____ head, to be replaced	114
Benefactions	313
Bill of Rights	356
Bondmen	12, 297
Borough, free, incorporated by name, &c.	6
Burgesses, 12 and 25 to be chosen to govern	1

	PAGE
Burgesses not to serve on juries	12
to be toll free	13
to have usual liberties and customs	ibid.
to have fines, issues, &c.	14
to have lands &c. of convicted felons, deodands, &c.	16
to have the <i>manu opera</i>	24
not to go before county justices	26
not to collect taxes	28
not to be arrested in Wales	30
may arrest persons in Wales	30
not to be put on juries out of town	38
acquitted of taxes within Ludlow	38
not to contribute for knights of the shire	40
origin of the term	250
the number resident in Ludlow	281
at Abingdon, means the inhabitants	257
By-Law case	239
By-Laws may be made	104

C

Camden's Account of Ludlow	341
Capital Masters first made to act as justices &c.	153—157
Capital Masters to be sworn before two aldermen, &c.	168
Chamberlain	198
Charter of Richard Duke of York (Henry VI.)	1
Edward IV.	5
Edward IV. (second)	45
Richard III.	50
Henry VIII.	51
Edward VI.	75
Queen Mary	89
Queen Mary (second)	90
Queen Elizabeth	97
James I.	125
James II. made void	179, 270
Charles I.	144
Charles II.	191
William and Mary	195
Charter to be amended by Lord Chancellor	42
Charters surrendered to Charles II.	195, 287
Charter of James II. recited	195, 270
Churchyard's Account of Ludlow	348

	PAGE
Clerk of the market to be sworn	168, 182
Cognizance of pleas granted	- 19
College, Ludlow	- 314
Common (or town) clerk to be sworn and approved by the king, &c.	- 168, 194
Commonalty explained	- 263
----- are the inhabitants	- 265 to 272
Common burgesses, this term explained	- 293
Common counsellors vacated by death or removal	109
Common council	- 104, 123, 167, 275
Consideration for granting the charter of Edward IV.	5
Constitutional Rights	- 349
Coroner to be chosen yearly	- 26
Coroner to do the office of sheriff, &c.	32, 151, 153, 182
Coroner of the county	- 26, 181, 182
Corporate rights reviewed	- 273
Corporation, of whom to consist	101, 273 to 279
----- and burgesses to enjoy liberties	140
----- removed	- 195
----- reassumed	- ibid.
----- restored by William and Mary	200, 203
----- vacancies defined	203, 278
----- officers	- ibid.
Corporators' residence	- 174, 176, 202
Court to be holden on Tuesday	20, 90, 94

D

Decretal orders relating to the government of Lud- low	- 217 to 237
Defects in former charters	- 144
Delinquents may be imprisoned	- 104
Doubts as to a surviving bailiff holding pleas	90

E

Earl of Abingdon on the constitution	- 261
--------------------------------------	-------

F

Fair in Passion Week	- 211
----- in Whitsun-Week	- 95, 135, 137
----- on the 9th, 10th, 11th of August	- 78
----- on the 16th, 17th, and 18th September	- 139
----- on the 24th, 25th, and 26th November	- 78
-----s, the times at which now holden	- 372

	PAGE
Felonies &c. to be inquired into the same as is done by county justices	149
Foreigners not to serve on juries	12
Foxe's Charity	319
Frankpledge	183
G	
Gaol, by whom to be delivered	151, 155, 163
Goods of burgesses not to be taken for the king	27
Grammar School	84
Grants and liberties confirmed	39
Grant under the great seal, &c.	122
Grants and privileges confirmed	185
Grant of Jordan of Ludford	242
Grant of the Abbot of Gloucester	243
Guilda Mercatorum	294
Guilds, religious	314
H	
Habeas Corpus	361
I	
Inhabitants to pay scot and lot	29
Inhabitant householders are burgesses and electors	250, 259
Inhabitant householders entitled to corporate rights	273 to 281
Inhabitants of the almshouse removeable	87
Jurisdiction of the court	301
Justices for the county not to act &c.	21, 149, 151, 155, 163
L	
Lands, houses, &c. in the liberties	148
——— may be acquired, &c	202
———, privileges, &c. restored	209
Lane's charity	329, 335
Law respecting electors petitioning the house of com- mons repealed	293
Lecturer, or town preacher, removeable	87
Leland's account of Ludlow	343
Letters patent without fine or fee	142
Liberties of the town	10
——— confirmed	128
——— extended	144

	PAGE
Liberties and bounds of the town	147
&c. without hindrance	187
Life or member not to be taken away without presence of the recorder	155, 172
Low bailiff to be chosen	115
Low bailiff dying, to be replaced	111
Ludlow to be a free borough	146

M

Magna charta	349 to 356
Malefactors' escape, &c.	152
Market on Thursday	10
Market on Monday	76
Masters of the grammar school removeable	87
Merchants guild	11
Mirror for the Men of Ludlow	249

N

Naming a corporation	249
Name of the corporation of Ludlow exemplified	250

O

Oath to be taken by new members	109
Oath to be administered by the head bailiff	168
Oath of supremacy to be taken by head bailiffs, &c.	193
Offences to be tried by jury as county justice can	155
Officers not to enter the town	48
Officers of corporation not to be molested	189
Order of Henry VIII. relating to the government of Ludlow	213
Order of the king's commissioners on the same	215

P

Palmers guild estate	52, 71, 78, 82, 315
Parliaments, when commenced	371
Persons refusing office to be imprisoned	119
Petitions from Ludlow to the House of Commons	283
Power to let lands	121
Population of Ludlow	281
Preacher of the town	85, 87
Prison to be provided	29
Privileges &c. confirmed by Charles II.	191

R		PAGE
Recital of the ancient form of ruling	-	101
Recital in king James's charter that Ludlow was destroyed by the Lancastrians, and afterwards increased in wealth and population	-	125
Recognizance between merchant and merchant according to the statute of Acton Burnell	-	130
Recognizance &c. forfeited	-	177
Recorder to be appointed	-	21
----- to be sworn before head bailiff	-	168
----- office of	-	300
----- to be approved by the king	-	194
----- to be justice of the peace	-	149
Rents to be paid to the crown	-	8
----- reserved	-	121
----- not to be paid into the exchequer	-	45
----- to be paid to the receiver of the lordship of Ludlow	-	46
----- of the guild estate granted to the corporation	-	82
----- of the guild estate, observations on	-	315
Representatives to be chosen	-	40, 101
Representative history of Ludlow	-	283
Right of election	-	293
----- by Granville Sharp	-	365
S		
School masters	.	84, 87
Sergeants at mace, &c. to be chosen	.	117
Sessions, by whom to be holden	.	172
Sheriffs not to enter Ludlow	.	24, 39, 180
Statute merchant, &c.	.	25
Statute of Acton Burnell	.	130, 132
Strangers improper to be corporators	.	277 to 280
Steward to be sworn	.	168
----- of Frankpledge	.	183
T		
Taxes, burgesses acquitted of	.	48
Tolls to be taken of Welshmen	.	30
----- for the reparation of bridges &c.	.	34
----- the origin, law, and custom of,	.	303
----- names of explained	.	304
Toll case at Worcester	.	311

	PAGE
Toll, pontage, taken in Ludlow . . .	308
Town clerk to be clerk for taking recognizances . . .	132
Town order	237

W

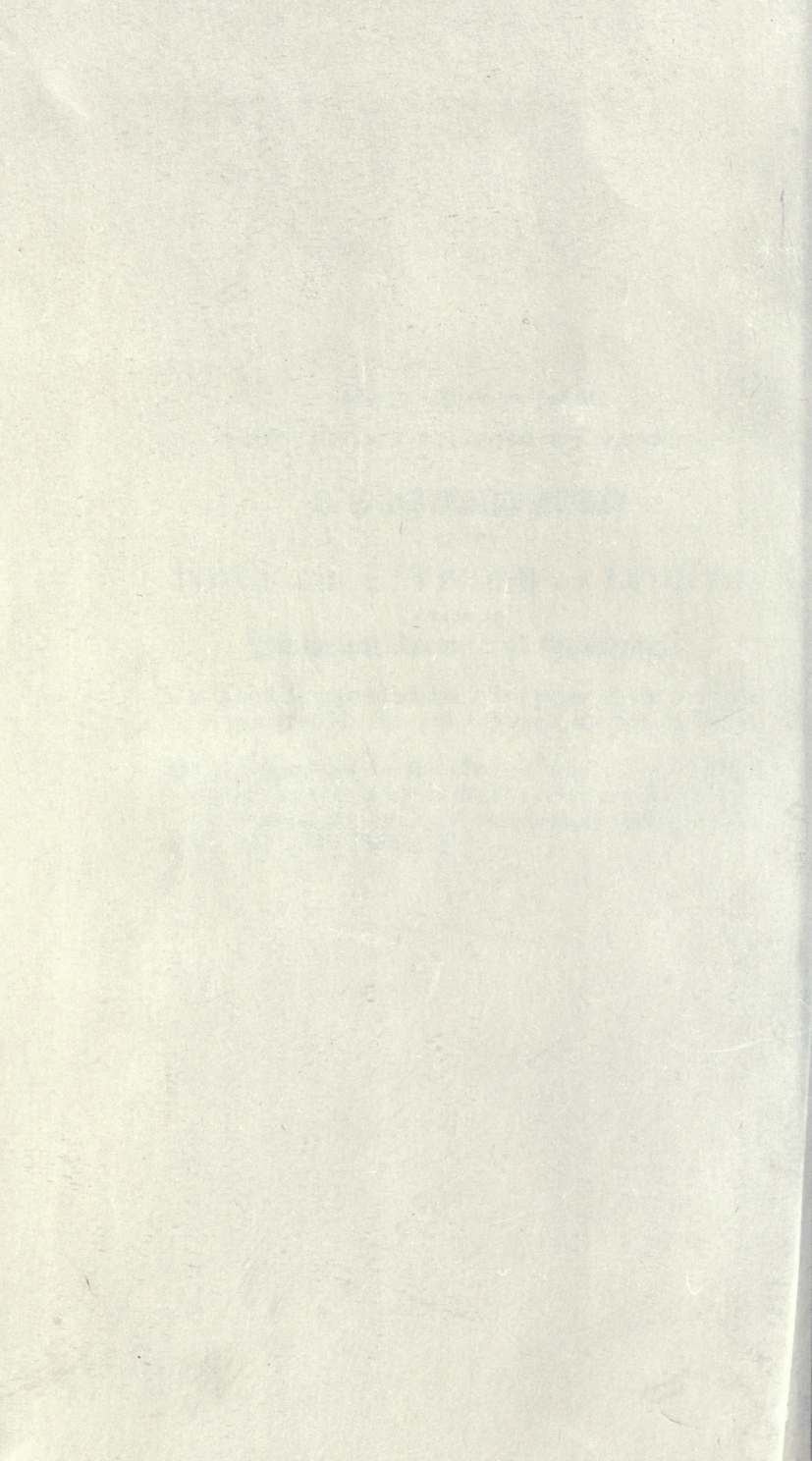
Whitcliffe common	242, 243, 259
Woollen cloths may be coloured	41
Writs, precepts, &c.	24
—— power of returning, &c.	178
—— doubts about serving	180

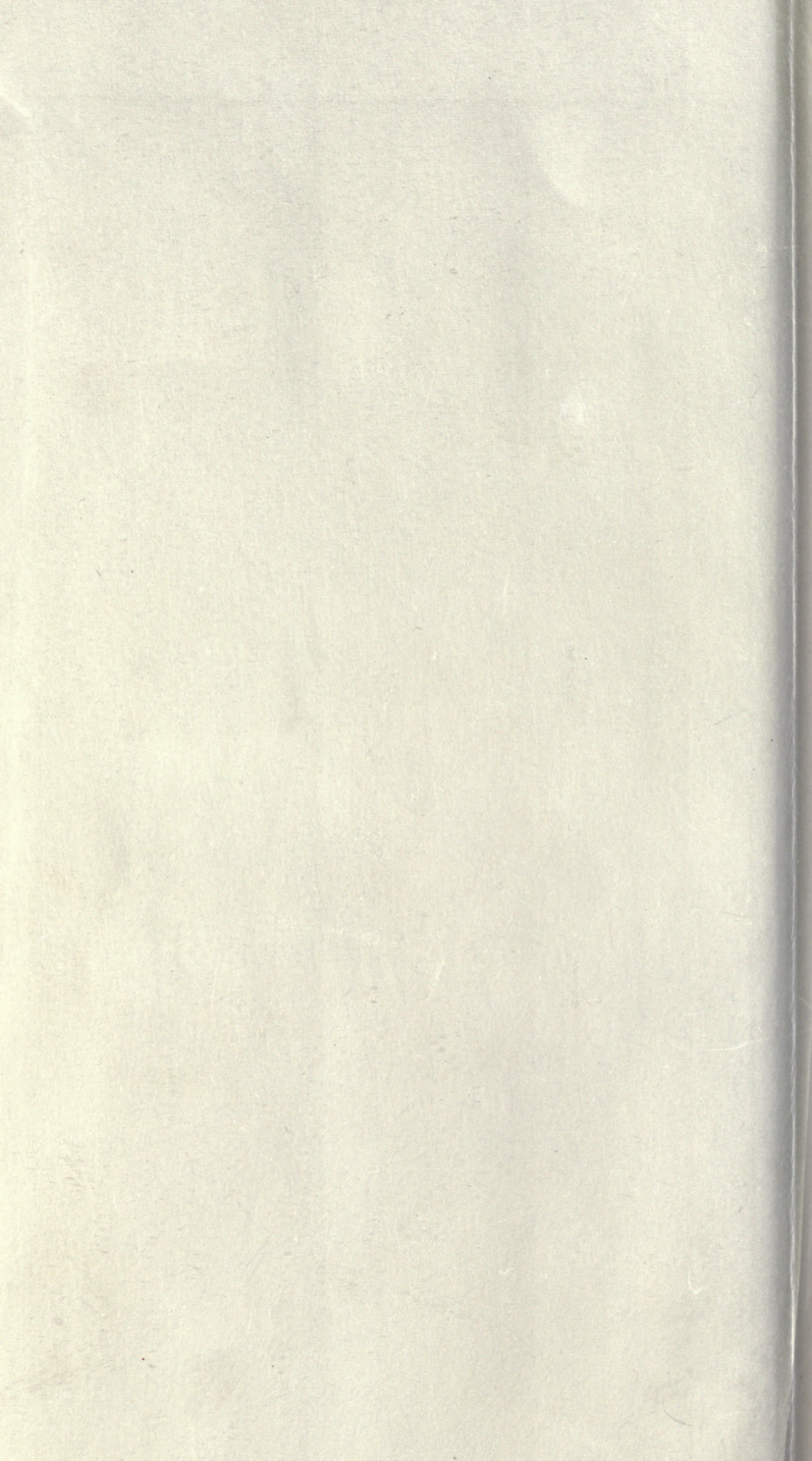
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